



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 ANTICIPATORY BAIL APPLICATION NO. 1231 OF 2024

Ravibhushan Bhanudas Jadhavar

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Rajendra G. Hange and Mr. Anirudh R. Hange

APP for Respondents: Mr. C.V. Bhadane

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CORAM : SHIVKUMAR DIGE, J.
DATED : 5th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.107 of 2024 registered with Beed City Police Station, district Beed, for the offences punishable under Sections 7 and 12 of the Prevention of Corruption Act, 1988.

2. It is the prosecution's case that on 16.5.2024 the informant Akash Gaikwad lodged a report to police alleging therein that accused No.1 demanded bribe from him for not making him as accused in crime No. 360 of 2023 under Sections 420, 406, 409, 120-B r.w. 34 of I.P.C. and under Sections 3 and 4 of M.P.I.D. Act. It is alleged that accused No.1 had demanded Rs.50,00,000/- and the applicant was insisting to the informant to give the said amount and he had asked bribe of Rs.1,00,000/- for himself.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The bribe was demanded by accused No.1 and it is accepted by accused No.3 on behalf of accused No.1. At the time of accepting the bribe amount, the applicant was not present. No panchnama in respect of verification of demand made by the applicant is drawn. The allegations against the applicant are only in respect of demand of bribe amount, which is false. The applicant is Assistant Sub Inspector having received 156 meritorious awards. On the day of the incident, the applicant was on leave. Considering the allegations against the applicant his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant was insisting the informant to give bribe to Mr. Khade (accused No.1). The conversation between the applicant and the informant is recorded by the informant. There was Whatsapp call between the applicant and the informant, which shows that the applicant has demanded bribe for himself from the informant. The said conduct of the applicant shows his involvement in the crime. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he was insisting the informant to give bribe to the accused No.1. It appears from the record that accused No.3 was arrested while accepting the bribe on behalf of accused No.1. The verification panchnama of demand of bribe amount by the applicant has not been prepared. In the F.I.R., it is mentioned that when there was conversation between the applicant and the informant on Whatsapp call, the said conversation is recorded by the informant on other mobile and on that basis name of the applicant is mentioned in the F.I.R. for demand of bribe amount,. As there is no panchnama of verification of demand of bribe amount by the applicant, his custodial interrogation is not required and I pass the following order:-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant in connection with crime No.107 of 2024 registered with Beed City Police Station, district Beed, for the offences punishable under Sections 7 and 12 of the Prevention of Corruption Act, 1988, the applicant be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

rlj/