



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 ANTICIPATORY BAIL APPLICATION NO. 1353 OF 2024

Shrimant Jivraj Mundhe
VERSUS
The State Of Maharashtra

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Advocate for Applicant : Mr. Nanabhau R. Thorat
APP for Respondents: Mr. P. K. Lakhotiya

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CORAM : SHIVKUMAR DIGE, J.
DATED : 20th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.233 of 2024 registered with Beed Rural Police Station, district Beed, for the offences punishable under Sections 7 and 12 of Prevention of Corruption Act.

2. It is prosecution's case that on 19.7.2024 the informant Shaikh Janimiya Shaikh Gafoor lodged a report alleging that the applicant was serving as a lineman, demanded bribe of Rs.15,000/- from the informant for installation of new electricity meter in place of burnt meter. On his complaint, the police verified the demand in presence of the panchas. It is alleged that the applicant accepted the said bribe amount through co-accused Ayyub Sayyad. Ayyub Sayyad caught red handed while accepting the bribe amount of Rs.15,000/- from the informant.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. On 14.6.2024 due to electricity theft the applicant cut the electricity connection of the informant. Due to said act of the applicant, the informant's ego was hurt and he has implicated the applicant in false case. Learned counsel further submitted that electricity bill of Rs.14,131/- was due on one Mubarak Shaikh and the applicant had directed him to deposit the said bill amount. The informant is not consumer of the applicant. Learned counsel further submitted that in complaint the informant has stated that initially there was demand of Rs.20,000/- and thereafter it was reduced. It shows false involvement of the applicant in the case. The applicant has put 18 years of unblemished service. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the informant wants to install a new electricity meter. When he approached the applicant, who is lineman, he demanded bribe of Rs.15,000/-. The said demand was verified in presence of the panchas. The conversation between the applicant and the informant is recorded in voice recorder. Thereafter, as per the say of the applicant, bribe amount of Rs.15,000/- was given to Mr. Ayyub Sayyad. He was caught red handed while accepting the bribe amount. It shows the involvement of the applicant 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 police papers produced on record. The verification of demand in presence of panchas shows that there was conversation between the applicant and the informant and in the said conversations the applicant has demanded Rs.15,000/- from the informant as bribe and this panchanama shows that he had directed the informant to give the amount to Ayyub Sayyad i.e. co-accused. Accordingly, the amount was given to the co-accused Ayyub Sayyad and he was caught red handed while accepting the bribe amount. It shows the bribe amount was demanded by the applicant and it was accepted on behalf of the applicant by co-accused Ayyub Shaikh. The investigation of the crime is in progress. Since the date of the incident, the applicant is absconding. Considering these facts, the custodial interrogation of the applicant is required and I pass following order:-

ORDER

The application is rejected.

(SHIVKUMAR DIGE, J.)

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