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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

965 ANTICIPATORY BAIL APPLICATION NO. 1486 OF 2024

Chandrakant Vishwanathrao Gaikwad

VERSUS

The State Of Maharashtra And Another

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Mr A. R. Hange, Advocate for Applicant

Mrs M. L. Sangit, A.P.P. for Respondents/State

CORAM : R. M. JOSHI, J.

DATE : 23rd October, 2024

PER COURT :-

1. Applicant apprehends arrest in connection with Crime No. 0327 of 2024, registered with Georai Police Station, Dist. Beed, for the offences punishable under Sections 7-A and 12 of the Prevention of Corruption Act.

2. It is alleged in the first information report that informant and other Assistant Teachers were working in a primary school, who are entitled for higher pay-scales as per the Chattopadhyay Committee. It is alleged that, in respect of submitting proposal and approval of bills for higher scale, bribe is

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demanded. Allegation is that co-accused Bharat Yede demanded bribe amount and accepted the said amount.

3. Learned counsel for applicant submits that, there is absolutely no evidence to indicate that any money is received by present applicant from co-accused. In respect of bank transactions are concerned, it is submitted that, in fact, applicant had sent certain amount to co-accused. It is his further submission that, there is no specific evidence to indicate that bribe amount was demanded by co-accused for and on behalf of present applicant.

4. Learned APP opposed the application by drawing attention of the Court to the transcript of the verification of demand. It is her contention that, inference can be drawn from said conversation that money was demanded by co-accused for and on behalf of present applicant.

5. There is, *prima facie*, perusal of the record does not indicate any clear evidence to show that co-accused has demanded bribe amount for and on behalf of present applicant. Otherwise,

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no evidence is there to connect applicant in this crime. It is seen from the order passed by the Additional Sessions Court that amount of Rs.16,59,000/- is already recovered during the search of house of applicant. Nothing else is therefore required to be recovered from applicant.

6. Having regard to the aforesaid facts, this Court finds that this is a fit case for grant of pre-arrest bail. Therefore, this application is allowed with the following directions :-

ORDER

(i) In the event of arrest of applicant in connection with Crime No.0327 of 2024, registered with Georai Police Station, Dist. Beed, for the offences punishable under Sections 7-A and 12 of the Prevention of Corruption Act, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(ii) He shall attend the concerned police station once in a week.

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(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He is further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI)
Judge

sjk