

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1452 OF 2024

Tejas Madan Garge	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Aabad Ponda, Senior Advocate i/b. Mr. Nilesh Navale for Applicant.
Mr. Bapu Vitthalrao Holambe Patil, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : JUNE 12, 2024

P.C. :

. Heard Mr. Ponda, learned senior counsel appearing for the applicant and Mr. Holambe Patil, learned APP appearing for the respondent - State.

2. By this application, the applicant i.e. accused No.2 is seeking anticipatory bail in the context of FIR dated 08.05.2024 registered at Police Station Indira Nagar, District - Nashik for offences under Sections 7, 7(a) and 12 of the Prevention of Corruption Act, 1988.

3. At the outset, the learned senior counsel appearing for the applicant has placed before this Court, order dated 29.05.2024 passed by the Court of Additional Sessions Judge-3, Nashik, whereby accused No.1 has been granted anticipatory bail in respect of the said FIR.

4. It is submitted that the accused No.1 is the main accused person in the sense that a trap was laid in the context of alleged demand of bribe made by the accused No.1. The trap was laid and as a consequence thereof, according to the investigating authority, the accused No.1 was caught red handed and she is liable to be punished for the aforesaid

offences.

5. The only role attributed to the applicant before this Court is that, after the trap was executed, the accused No.1 allegedly called the applicant on his mobile phone and there was a conversation between the two, indicating that the applicant was also involved in the aforesaid incident of the accused No.1 demanding bribe. According to the investigating authority, the applicant being the Director of Archaeology and Museum at Mumbai and the accused No.1 being the Assistant Director in the same organization, it was at the behest of the applicant that the aforesaid act was undertaken by the accused No.1.

6. Since the accused No.1 has been granted anticipatory bail, this Court is of the opinion that even if the allegations made against the applicant are to be taken into consideration, he deserves to be granted relief in the present application. The applicant would co-operate with the investigation and hence, the present application deserves to be granted.

7. In view of the above, the application is allowed in the following terms:-

- A. In the event the applicant is arrested in connection with FIR No.0145 of 2024 dated 08.05.2024, registered with Police Station Indira Nagar, District Nashik, he shall be released on bail on furnishing PR Bond of Rs.50,000/- [Rupees Fifty Thousand only] and one surety in the like amount;
- B. The applicant shall co-operate with the investigation, including providing his voice sample, if so demanded by the investigating officer;
- C. The applicant shall remain present before the investigating officer as and when required;
- D. The applicant shall not influence witnesses or any person

concerned with the case and he shall not tamper with the evidence.

8. The application is disposed of.

(MANISH PITALE, J.)

Minal Parab