



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.52 OF 2024
(Shailesh Sudhakarrao Topre Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.V. Sirpurkar, Advocate for the applicant.
Mr. U.R. Phasate, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 14, 2024

By this application, the applicant is seeking pre-arrest bail. The applicant is apprehending arrest at the hands of police in connection with Crime No.309/2023 registered with Police Station City Kotwali, Akola District Akola for the offences punishable under Section 7 of the Prevention of Corruption Act, 1988.

2. Learned Counsel for the applicant submitted that as far as the recitals of the FIR is concerned there is no demand by the present applicant thus, *prima facie* case is not made out against the present applicant. As far as the allegations are concerned, the voice sample of the present applicant is already obtained by the investigating agency. The applicant has cooperated with the investigating agency. After the entire investigation, the FIR is lodged by the Trap Officer therefore, custodial interrogation of the present applicant is not required. In view of that, the applicant be protected by confirming the ad-interim protection granted to him.

3. Learned Additional Public Prosecutor strongly opposed the application on the ground that during investigation it revealed that it is the present applicant who has demanded the amount, and therefore, the offence under Section 7 of the Prevention of Corruption Act, 1988 is registered. His custodial interrogation is required. In view of that, the application deserves to be rejected.

4. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that practically the investigation is completed and voice sample of the present applicant is also obtained, therefore, custodial interrogation of the present applicant is not required. In view of that, the ad-interim protection granted to the present applicant deserves to be confirmed.

5. In this view of the matter, the application is allowed. The order dated 19/01/2024 granting ad-interim protection to the applicant stands confirmed. The applicant in the event of his arrest be released on bail on same terms and conditions as in the order granting ad-interim protection.

6. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)