



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 197 OF 2025

Suraj S/o. Shantilal Devkar,
Age : 37 years, Occu. : Service,
R/o. Tamalwadi, Tq. Tuljapur,
Dist. Dharashiv (Osmanabad)

... Applicant

Versus

The State of Maharashtra,
Through the Police Station Officer,
Tamalwadi Police Station, Tq. Tuljapur,
Dist. Dharashiv (Osmanabad).

... Respondent

.....
Mr. Anant R. Devkate, Advocate for Applicant.
Mr. S. S. Dande, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 26th FEBRUARY, 2025

ORDER :

1. This is a regular bail application on account of arrest of applicant in Crime No. 7 of 2025 registered at Tamalwadi Police Station, Tq. Tuljapur, Dist. Dharashiv for offence punishable under sections 7 and 7-A of the Prevention of Corruption Act, 1988.

2. Learned counsel for applicant submitted that, applicant himself is a Police Officer. That, one crime bearing No.6 of 2025 was registered, which was entrusted to another Police Officer. That, applicant has no concern with the said crime. That,

allegations are made in the report by informant that applicant demanded illegal gratification and further made phone call to the In-charge Investigating Officer for not arresting accused in above crime.

3. Learned counsel submitted that, applicant is behind bars since 18.01.2025. Going by the nature of allegations, nothing is shown to be recovered or discovered at his instance. That, his voice sample is already taken. He being a Police Officer will not misuse the liberty and would rather co-operate with the investigation as and when required. For above such reason, learned counsel urges for grant of bail.

4. Learned APP objected that applicant is named in the FIR. That, investigation still being in progress, learned APP opposes the bail application.

5. Heard. Perused the papers, more particularly FIR. Its sum and substance is that, informant Dnyanraj Gund reported Tamalwadi police on 18.01.2025, that one crime bearing No. 6 of 2025 was registered on 17.01.2025 against him and his friends and said crime was investigated by Officer Rathod. It is further informed that on 17.01.2025 informant was called at Police

Station by present applicant and informed that he would be arrested and for not arresting and to delete his name, he would be required to give Rs.1,00,000/-.

Thereafter, report was lodged with ACB and on above report, complaint was registered, trap was laid and it is alleged that, raiding party visited official residence of present applicant with voice recorder. Complainant has reported that applicant made demand by way of gestures and Rs.50,000/- were paid, accepted and trap was executed.

6. Applicant is shown to be arrested on the day of trap itself i.e. 18.01.2025. Apparently, case is of demand and acceptance of illegal gratification. Statement is made across the bar that applicant's voice sample is already collected. Currency allegedly accepted by him is already seized, therefore, nothing further is shown to be recovered or discovered at his instance. Applicant himself is a Police Officer. He has undertaken to co-operate in investigation as and when required and that he would not misuse the liberty. Resultantly, when nothing is further shown to be recovered or discovered at his instance and considering the nature of allegations, relief as prayed deserves to be granted. Hence, the following order is passed : -

ORDER

- (i) The application is allowed.
- (ii) Applicant Suraj S/o. Shantilal Devkar be released on bail in connection with Crime No. 7 of 2025 registered with Tamalwadi Police Station, Tq. Tuljapur, Dist. Dharashiv on executing P.B. of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (iv) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE, J.)