



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

944 ANTICIPATORY BAIL APPLICATION NO. 387 OF 2024

SURAJ SINGH TRIYAMBAKSINGH RAJPUT

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Rajendraa Deshmukh, Senior
Advocate a/w. Ms. Meenal S. Deshmukh i/b. Mr. Devang
Rajendraa Deshmukh

APP for Respondent/State: Mr. Ruchir S. Wani

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.03.2025

P.C. :

1] Heard learned Senior Advocate for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.0035/2024, registered at Bidkin Police Station, Aurangabad Gramin, District Aurangabad, for the offences punishable under Sections 7(A) and 12 of the Prevention of Corruption Act, 1988.

3] This court by order dated 06.03.2024 granted interim protection to the applicant and directed the applicant to cooperate with the investigation and to attend the concerned police station on the specific dates and time as noted in the said order.

4] The case in brief against the applicant, who is the Talathi / Revenue Officer is that he had demanded bribe to the tune of Rs.8,000/- from the informant for work related to treatment and transportation of sand. It is stated that the bribe was demanded through the co-accused / Sambhaji Shinde. Accordingly, the information was registered and, thereafter, a trap was set.

In the trap, it is stated that, in the hotel, the informant and the co-accused / Sambhaji Shinde had met and the telephonic call was made to the present applicant / Surajsingh Rajput and the conversation is recorded.

Thereafter, the informant gave bribe amount to the co-accused / Sambhaji Shinde and he has accepted the same, and, immediately thereafter, the informant relayed the preplanned signal by scratching his head and the officers conducted the raid and on being asked to the co-accused / Sambhaji Shinde, at whose instance the bribe is taken, the co-accused / Sambhaji Shinde has refused that he has taken the money at the instance of the present applicant.

5] Mr. Rajendraraa Deshmukkh, learned Senior Advocate for the applicant submits that the demand in the instant case from the applicant is doubtful for the reason that the conversation, which is produced today by the learned APP, does not depict the clear demand at the

instance of the applicant, so also, he submits that the statement of the co-accused / Sambhaji Shinde that money is not accepted on behalf of the present applicant, which is made spontaneously, is also relevant. He also submits that at no point of time the applicant has contacted the informant or even the applicant did not know the informant.

6] Mr. Rajendrraa Deshmukkh, learned Senior Advocate further submits that in pursuance of the interim order passed by this court, the applicant had attended the concerned police station and cooperated with the investigation, as such, he prays for confirmation of the interim relief.

7] The learned APP submits that the conversation between the co-accused / Sambhaji Shinde and the present applicant would indicate that there is demand at the instance of the present applicant and, although, the amount is not paid to the applicant, the demand is clear and the co-accused / Sambhaji Shinde has accepted the amount at the instance of the present applicant and prays for rejection of the application.

8] Considering the above and having perused the conversation between the applicant and the co-accused / Sambhaji Shinde and, also, there is spontaneous statement

made by the co-accused / Sambhaji Shinde that the amount is not accepted on behalf of the applicant and there is no demand made in the course of conversation between the applicant and the co-accused / Sambhaji Shinde and, also, considering that the applicant has cooperated with the investigation in pursuance of the order passed by this court dated 06.03.2024, further custody of the applicant would not be necessary.

9] In view of the above, the interim protection granted by order dated 06.03.2024 stands confirmed, on the following terms:

i] The applicant shall attend the police station as and when required by the Investigating Officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

10] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

11] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

12] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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