



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

932 ANTICIPATORY BAIL APPLICATION NO. 1377 OF 2025

Prakash Chakradhar NirgudeApplicant

Versus

The State of Maharashtra And AnotherRespondent

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Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondents: Mr.S.S.Dande
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CORAM : ABHAY S. WAGHWASE, J.

**RESERVED ON : 22 AUGUST, 2025
PRONOUNCED ON : 25 AUGUST, 2025**

ORDER :

1. This is pre-arrest bail application on account of registration of crime bearing no.0400 of 2025 registered at Hingoli Police Station, District Hingoli, for the offence punishable under Section 7 of the Prevention of Corruption Act.

2. Learned counsel for the applicant, at the outset, pointed out that present applicant, who is Ex-Principal and currently a Director of an Educational Institution, is falsely implicated. That, there are allegations of demand of Rs.3,000/- for arranging admission to

informant's daughter. According to learned counsel, apart from delayed FIR, there is no material suggesting any demand of gratification as alleged. He pointed out that, neither trap was laid, executed nor was there any give and take of money and as such according to him, there is no reason for seeking custodial interrogation of the applicant. Learned Counsel took this Court through Exhibit "C", which is a document related to Centralised Online Admission Process, and would point out that, the fees reflected for students clearly shows that it is a granted College and therefore, there is no question of making demand on the ground that College is un-aided. He further pointed out that, informant's daughter has already filled the form for admission through Online process and the status of subject Crop Science is shown as un-aided. Lastly, he submitted that, considering above nature of allegations and when there is nothing suggesting demand and there being no acceptance, alleged offence impleaded is misplaced. He undertakes to co-operate with the investigating machinery by abiding to all conditions that may be imposed by this Court and urges to grant bail.

3. Learned APP pointed out that, Informant has lodged report about gratification demanded for arranging admission. That, there is

voice recording of demand and for such reasons, for taking investigation to logical end, learned APP seeks rejection of application.

4. Heard. Perused the FIR dated 11-07-2025. Substance of the FIR is that, informant is an agriculturist and his daughter has cleared 10th Standard examination and was keen in seeking admission in 11th Standard and had applied for process of admission on Online Portal of the Government. According to Informant, on receipt of message about possibility of admission, he approached Sukhdevanand Arts and Science College, Bhandegaon. According to him, for 11th Standard, admission fees was only Rs.668/-. He claims that on 01-07-2025, on visiting above Institution, present applicant, who was a member of Institution Committee, told him that, though fees is shown to be Rs.668/-, apart from it, Rs.2,332/- would be required to be paid. According to the informant, he realized that the excess amount demanded was bribe and therefore, he decided to lodge report with Anti Corruption Bureau (ACB). He further reported that on 02-07-2025, after lodging complaint, when he approached present applicant for admission and questioned about the fees, he was again told that amount of Rs.3,000/- would be required. He claims that

even when he questioned for above amount in spite of tuition fees as per Rules to be Rs.668/-, it is alleged that present applicant again told that Rs.2000/- is towards payment of Teachers. Informant claims that, above conversation between him and applicant has been recorded by him and he has thereby lodged report with ACB authorities seeking action.

5. Thus, what is emerging from above is that, informant claims that excess amount then permissible fees is demanded and according to informant, he realized that excess amount is by way of bribe. Learned counsel for applicant invited attention of this Court to exhibit "C" wherein fees structure has been reflected. Here there are allegations of demand of excess amount than fees, which is reflected on Online Portal. Now, whether it is bribe, donation or what, that needs to be investigated. In the opinion of this court, custodial interrogation is not necessary and further investigation can be carried out by securing presence of applicant. Applicant is Ex-Principal and is currently a Director of an Educational Institute and is said to be of over 62 years of age. For above reasons, interim protection as prayed deserves to be granted. Accordingly, following order is passed:

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with crime no.0400 of 2025 registered at Hingoli Police Station, District Hingoli, for the offence punishable under Section 7 of the Prevention of Corruption Act, he shall be released on executing P.B. and S.B. of Rs.15,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station as and when required by the Investigating Officer and shall co-operate in the investigation.
- (iv) The applicant shall not tamper the prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE