



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

933 ANTICIPATORY BAIL APPLN NO.2167 OF 2024

YOGESH DATTATRAYA PALVE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.S.S.Chapalgaonkar

APP for Respondent-State : Mr.S.K.Shirse

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.02.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with Crime No. I-548/2024, registered with Kopargaon Police Station, Kopargaon, District Ahmednagar for the offence punishable under Sections 7, 7(a), 12 of the Prevention of Corruption Act.

3] This Court, by order dated 20.12.2024, has granted interim protection in favour of the applicant for the submission stated in para nos. 3 and 4, as noted below :

3] The learned counsel for the applicant submits that in the instant case the FIR is

registered under the Prevention of Corruption Act. One of the employee has taken bribe money and called up another person i.e. Superior Officer and on his behalf these two persons accepted the money. The Investigating Officer has arrested the two persons and they are released on bail. It is submitted that during the conversation between the officer who took money and accused no.3, the Superior Officer, the name of the present applicant was taken and it is stated that portion of the money received will be handed over to the present applicant. The allegation against the applicant is based on a purported conversation between informant and accused no.3 and another officer who took money wherein it is alleged that the share from the bribe amount is to be given to the present applicant and the superior officer.

4] The learned counsel for the applicant submits that, the applicant has absolutely no role in the alleged crime, so also, the applicant has not received any amount. It is further submitted by the learned counsel for the applicant that the applicant is a Government Servant and arrest of applicant will impact on his service. The learned counsel further submits that the another accused has demanded money from the informant by taking the name of present applicant, however, that is not sufficient to point out involvement of the present applicant in the alleged crime. Moreso, because the applicant has no official role in the alleged official work for which the money is taken. The learned counsel further submits that there is no connecting evidence against the present applicant to show involvement in the alleged crime.

4] The learned counsel for the applicant submits that in pursuance of the order dated 20.12.2024, the applicant has attended the concerned police station and has co-operated with the investigation. He further submits that

the the applicant has surrendered his mobile to the police. The learned APP has not disputed the said fact.

5] Considering the above facts, further custodial interrogation of the applicant is not required as the investigation is nearly completed. Considering the same, the interim protection granted by order dated 20.12.2024 stands confirmed in the following terms :

i] The applicant shall attend the concerned 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.

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

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC