



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

CRIMINAL APPLICATION (ABA) NO. 886 OF 2025

(Abdul Rahim s/o Abdul Kadir ..vs.. State of Maharashtra, through PSO, PS Bhatkuli, Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P.R. Agrawal, Counsel for the applicant,

CORAM : NIVEDITA P. MEHTA, J.

DATE : 24-11-2025

Issue notice to the non-applicant.

2. Ms. Trupti Udeshi, learned Additional Public Prosecutor waives service of notice on behalf of the non-applicant/State.

3. The applicant has preferred the present application seeking anticipatory bail, apprehending arrest in connection with Crime No. 0237/2025 registered at Police Station Bhatkuli, District Amravati, for offences punishable under Sections 7 and 7(a) of the Prevention of Corruption Act, 1988.

4. The prosecution case, in brief, is that on 11.08.2025, the complainant, Prakash Raghuwanshi, lodged a complaint with the Anti-Corruption Bureau, Amravati, alleging that PSI Mohan Kewati demanded ₹30,000/- from

him for extending assistance in relation to a criminal case registered against him at Police Station Bhatkuli. Pursuant thereto, PI Pravin Verulkar conducted verification of the complaint in the presence of two panch witnesses. A digital voice recorder was handed over to the complainant to verify the alleged demand. The complainant, along with the panchas, entered the cabin of PSI Mohan Kewati, where a conversation regarding the alleged demand ensued. During this interaction, PSI Kewati informed the complainant that the present applicant was calling them. Thereafter, the applicant allegedly asked the complainant to pay ₹20,000/-. No money, however, was ever handed over to the applicant, and the trap was ultimately aborted. On these allegations, the present crime came to be registered against the applicant.

5. Mr. P. R. Agrawal, learned counsel for the applicant, submits that the applicant is not the principal accused and that the alleged demand of illegal gratification arises solely from the main accused, PSI Mohan Kewati. It is contended that the applicant neither demanded nor received any amount, and that the allegation that he told the complainant to pay ₹20,000/- to PSI Kewati does not satisfy the ingredients of Section 7 of the Prevention of Corruption Act. It is argued that the applicant has been falsely implicated.

6. Per contra, Ms. Trupti Udeshi, learned Additional Public Prosecutor, submits that the applicant himself demanded ₹20,000/- from the complainant, thereby attracting the provisions of the Act. She further submits that the investigation is ongoing and that custodial interrogation of the applicant is necessary to ascertain whether he has amassed assets disproportionate to his known sources of income, either in his own name or in the names of his family members or close relatives. She also points out that the applicant had inquired whether the complainant had spoken with PSI Kewati, and in response he told him he had talked to PSI Kewati. The applicant asked the informant to pay him Rs. 20,000/- thus this part of the conversation forms part of the case diary. She therefore opposes the grant of anticipatory bail, relying on the judgment of *Devinder Kumar Bansal Vs. The State of Punjab, 2025 INSC 320* referred to by the trial Court while rejecting the applicant's earlier application.

7. *Prima facie*, it appears that the applicant has not received any amount. Furthermore, the voice samples and the conversation that the Investigating Officer seeks to obtain, being part of the case diary, can be secured without the necessity of custodial interrogation. At this stage, the

material on record does not indicate any overt act on the part of the applicant beyond the alleged telephonic conversation, which is yet to be forensically verified. The apprehension of the prosecution regarding disproportionate assets is also based on a general allegation, unsupported by any preliminary material demonstrating the need for custodial interrogation. It is well settled that anticipatory bail cannot be denied as a matter of course in the absence of specific and compelling circumstances justifying arrest. There is nothing to show that the applicant is likely to abscond, tamper with evidence, or influence witnesses, particularly when the main accused is already under investigation and the trap did not culminate in any recovery. Considering the totality of circumstances, I am of the opinion that custodial interrogation of the applicant is not warranted at this stage. Hence, the following order is passed.

(i) In the event of arrest of the applicant in Crime No. 0237/2025, registered with Police Station Bhatkuli, District Amravati for the offence punishable under Sections 7 and 7(a) of the Prevention of Corruption Act, the applicant shall be released on furnishing solvent surety of Rs.20,000/- (Rupees Twenty Thousand) with PR bond of the like amount.

(ii) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

The application is disposed of accordingly.

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(NIVEDITA P. MEHTA, J.)