

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 187 OF 2026

Sanjay Martand Jagtap

....Applicant

VERSUS

The State Of Maharashtra And Others

.....Respondent

.....
Advocate for Applicant : Mr. Rajendra Deshmukh, Senior Counsel
instructed by Mr. Hashmi Ubaid S.
APP for Respondents: Mr. A.V. Lawate.

CORAM : R.M. JOSHI, J.

DATE : 9TH JUNE, 2026.

P.C. :-

1. The applicant is seeking anticipatory bail in connection with Crime No. 9 of 2025, registered with Vedantnagar Police Station, District Chhatrapati Sambhaji Nagar, for the offence punishable under Sections 7 and 7A of the Prevention of Corruption Act.

2. In short, the case of the prosecution is that, on the basis of the report lodged by the first informant, the present applicant demanded a sum of Rs. 30,000/- for himself as well for the Joint Director of Higher Education for the purpose of fixation of the pay scale of the informant. On the basis of the said report, the offence came to be registered against the applicant.

3. Ld. Senior Counsel appearing on behalf of the applicant, drew attention of this Court to the documentary evidence indicating that the order has already been passed on 15th October, 2025 by the Committee granting pay fixation to the informant w.e.f. 14th October,

2025. It is his submission that the possibility of false implication cannot be ruled out in view of the fact that even before the registration of the FIR, house of the applicant at Nasik was sought to be searched/raided by the investigating agency. In this regard, reference is made to the order passed by the Special Judge, in Bail Application No. 136 of 2026. It is further his submission that, in any case, the applicant's voice sample has already been taken, so also, his mobile is seized, further custodial interrogation of the applicant is not necessary. The applicant has no criminal history and hence, according to him, he is not likely to flee from justice.

4. The learned APP, at the outset, took exception to the grant of anticipatory bail to the applicant by relying upon the judgment of the Honourable Supreme Court in the case of *Devinder Kumar Bansal Vs. State of Punjab (2025) 4 SCC 493*, particularly, to para. Nos. 21 to 24 thereof. On merits, it is his submission that there is a specific allegation against the applicant of demanding Rs. 30,000/- which is supported by electronic record. In this regard, he drew attention of the transcript of the mobile conversation between the applicant and the informant.

5. There can not be any dispute about the proposition of law sought to be canvassed on behalf of the prosecution that if the offence is made out under the Prevention of Corruption Act, the applicant would not be entitled for grant of anticipatory bail. However, in case the applicant makes out a case of possible false implication, there is no embargo created by law for protecting the liberty of the applicant.

6. In the instant case, there is allegation against the present applicant that the demand of Rs. 30,000/- was made by him for the purpose of seeking an order of pay fixation. Pertinently, the FIR is lodged

on 15.1.2026, in spite of the fact that the alleged demand was made on 27.11.2025. The delay itself is not decisive factor in all criminal cases but assumes importance in this case in view of the documentary evidence placed on record by the applicant. The documents before this Court indicate that on 15.10.2025, the order of pay fixation of the informant was passed w.e.f. 14.10.2025. Thus, prima facie, there is substance in the contention of the learned counsel for the applicant that the question of demanding any money for passing such order would not arise.

7. Considering the delay in lodging of the FIR, so also, the peculiar facts of the case, indicating that the order, for which the demand of money was made, was passed on 15.10.2025, the possibility of false implication exists. In this backdrop, when the voice sample of the applicant is already obtained by the investigating agency, coupled with mobile phone from him, there remains no reason for his custodial interrogation. Applicant has no criminal history and he is not likely to flee from justice. Hence, this is a fit case for confirmation of the interim relief.

7.

ORDER

[I] The application is allowed, by confirming the interim relief.

[ii] Pending criminal application, if any, stands disposed of.

[R.M. JOSHI, J.]

grt/-