IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 926 OF 2026

Aba Sawala Valkunde ……Applicant
Versus.
The State Of Maharashtra And Anr. ……Respondents

Ms. Manisha Devkar a/w Mr. Shankar Katkar and Ms. Tanaya Doke, for Applicant.

Mr. Nitin B. Patil, A.P.P. for Respondent Nos.1 and 2 - State.

Dy. S. P., Mr. Prashant Chougule, ACB, Solapur, present.

SHANTANU SHANKARSA DHUDUM
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Date: 2026.10.08 19:13:07 +0530

CORAM : ASHWIN D. BHOBE, J.

DATE : 7th OCTOBER, 2026.

P.C.

1. Heard, Ms. Manisha Devkar, learned Advocate for the Applicant, and Mr. Nitin B. Patil, learned A.P.P. for Respondent Nos. 1 and 2 – State.

2. By this Application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“BNSS”), the Applicant seeks Regular Bail in connection with Crime No. 411 of 2026 registered at Malshiras Police Station, District Solapur, for offences punishable under Sections 7, 7A and 12 of the Prevention of Corruption Act, 1988.

3. Ms. Manisha Devkar, learned Advocate for the Applicant, states that there are four (4) Accused in Crime No. 411 of 2026 and that the Applicant is Accused No. 1.

4. In brief, the prosecution case is that Anil Shinde (Accused No. 3) demanded Rs.25,00,000/- (Rupees Twenty-Five Lakhs) from Santoshkumar Malve (Informant) for not registering Crime No. 564 of 2026 for offences punishable under Sections 109(1), 132, 121(1), 127(2), 351, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“BNS”) against the Informant, Mahesh Khade and the parents of Mahesh Khade; for helping them obtain Anticipatory Bail; and not adding offences under the PCPNDT Act. Accused No. 3 demanded Rs.25,00,000/- for the Deputy Superintendent of Police-Walke and Rs.5,00,000/- for himself through the Applicant and Accused No. 2(Mahadev Mane).

5. On 20th August, 2026, Accused No. 3, accepted Rs.10,00,000/- for the Deputy Superintendent of Police, through Rupali Fadtare, a Police Officer and friend of Mahesh Khade and the Applicant, near the Primary Health Centre near Siddhanath Mandir, Mhaswad. The Accused insisted on payment of the remaining amount. Therefore, the Informant approached the ACB, Solapur Office, with the complaint. On 28th August, 2026, during the raid conducted by the ACB Officers, the Applicant and Accused No. 2 were present. The Informant, handed over Rs. 5,50,000/- to the Applicant,

who accepted the same with both hands. Accused No. 2 (Mahadev Pandhari Mane), was present when the said amount was handed over.

6. The Applicant was arrested on 29th August, 2026. The Special Judge, ACB, Malshiras ("Trial Court"), rejected Bail Application No. 264 of 2026, filed by the Applicant, on 10th September, 2026.

7. Ms. Manisha Devkar, learned Advocate for the Applicant, submits that the Applicant is a private person. She submits that at most, the allegations in the complaint suggest that the Applicant acted as a middleman and not as the person who demanded the money or accepted the bribe, within the meaning of the provisions of the Prevention of Corruption Act, 1988. She submits that the recoveries have been made and that the Applicant is presently in Magisterial Custody. She submits that if released on bail, the Applicant shall regularly appear before the Trial Court and face the trial.

8. Mr. Nitin B. Patil, learned A.P.P. for Respondent Nos. 1 and 2 – State, submits that the Applicant received the bribe amount which was demanded by Accused Nos. 3 and 4, to be paid to the Deputy Superintendent of Police. He submits that the Applicant was caught red-handed at the spot while receiving Rs. 5,50,000/-. He submits that the phone calls indicate the conversation between the Applicant and the Informant.

9. Perused the record.

10. The Applicant is not a Public Servant. From the allegations in the FIR, it appears that the Applicant acted as a middleman to facilitate transactions between the Public Servant-Accused Nos. 3 and 4 and the Informant. The offences charged against the Applicant carry a maximum punishment of seven years. The sum of Rs.5,50,000/- has been recovered. The Applicant's voice sample has also been taken.

11. Accused No. 4 (Rahul Maruti Wagh), a public servant on whose behalf the demand and illegal gratification were allegedly to be paid, was granted pre-arrest bail by the Special Judge (ACB), Malshiras, on 22nd September, 2026, in Criminal Bail Application No. 270 of 2026. Ms. Manisha Devkar, learned Advocate for the Applicant, has tendered a photostat copy of the order dated 22nd September, 2026, which is taken on record and marked as "X" for identification.

12. Considering the nature of the allegations against the Applicant and the completion of the investigation, custodial interrogation of the Applicant, pending trial in Crime No. 411 of 2026, is not warranted.

13. In view of the above, this Application is allowed on the following terms and conditions:

ORDER

A. The Applicant - Mahadev Pandhari Mane, shall be released on bail in Crime No.411 of 2026, registered at Malshiras Police Station, District Solapur, on furnishing a P.R. Bond in the sum of Rs.1,00,000/- (Rupees One Lakh Only), with one or two sureties in the like amount, to the satisfaction of the Special Judge, ACB, Malshiras.

B. The Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that person from disclosing those facts to the Court or to any police officer. The Applicant shall not tamper with the evidence in any manner.

C. The Applicant shall attend and report to the Investigating Officer, Malshiras Police Station, District Solapur, on the second day of each month, till framing of the charge in Crime No. 411 of 2026.

D. The Applicant shall not tamper with the evidence in any manner.

E. The Applicant shall provide the Investigation Officer, Malshiras Police Station, District Soalpur with his

residential address along with proof, his contact numbers and must inform the Investigating Officer of any changes to this information from time to time.

F. The Applicant shall regularly appear before the Trial Court in the proceedings, as and when the proceedings in Crime No. 411 of 2026 commence.

G. In the event of any default in complying with the conditions or misuse of the liberty granted to the Applicants, the prosecution shall be at liberty to seek cancellation of bail.

14. The observations made in the present order are meant for the purpose of deciding the Bail Application and would not have any impact or effect on the trial.

15. Criminal Bail Application No.926 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)