IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 652 OF 2026

Suresh Balaso Patil ...Applicant

V/s.

The State of Maharashtra and Another ...Respondents

Mr. Shrikrishna Ganbavale, i/b. Mr. Umesh Pawar with Ms. Sayali Mane, for the Applicant.
Mr. Nitin B.Patil, APP, for the Respondents-State.
Mr. Chavan, PI, ACB, Sangli is present.

CORAM : NEERAJ P. DHOTE, J.

DATE : 25th NOVEMBER, 2026

P. C. :

1. This is an application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, '**BNSS**') for anticipatory bail in Crime No. 314 of 2026 registered with Mahatma Gandhi Chowk Police Station, Sangli, for the offences punishable under Sections 7 and 12 of the Prevention of Corruption Act, 1988 ('for short, '**PC Act**').

2. Heard learned counsel for the Applicant and learned APP for the Respondents - State.

3. It is submitted by the learned counsel for the Applicant that, the complainant has given the complaint on 31st August 2026 and after a period of 46 days, the FIR came to be registered on 16th October 2026.

Though the FIR speaks of a handwritten application by the complainant, the police papers indicate that, there is a typed complaint by the complainant and not a handwritten complaint. There is no whisper in the complaint in respect of acceptance of Rs. 1,00,000/- by the Applicant from the complainant. For the first time in the FIR, the prosecution came up with a case that, the complainant has already paid Rs. 1,00,000/- to the Applicant. The Applicant is working in the Dairy Development Department and the proceeding was in respect of the Fishery Department, with which the Applicant not having any concern. The Applicant was protected during the pendency of the anticipatory bail application before the Additional Sessions Judge. Though house search of the Applicant was conducted, nothing incriminating was seized. The earlier trap had failed. The Applicant has attended the concerned police station pursuant to the interim order of the learned Additional Sessions Judge. The Applicant is ready to cooperate and give his voice sample to the investigating machinery, for which no custodial interrogation is required as per the provisions of Section 349 of the BNSS. He submits that, considering the facts and circumstances of the case, the application be allowed.

4. The application is opposed by the learned APP. He submits that, the complainant has given his complaint to the officer of the Anti-Corruption Bureau, wherein there is reference of the demand of Rs. 2,00,000/- by the

Applicant, out of which Rs. 1,00,000/- was already paid by the complainant to the Applicant. There is whisper of the said acceptance of Rs. 1,00,000/- by the Applicant in the complaint dated 31st August 2026. The transcript of the conversation between the complainant and the Applicant indicate that, the Applicant had accepted Rs. 1,00,000/- towards the illegal gratification. Considering the nature of offence, the application be rejected.

5. The prosecution case, as can be seen from the order dated 30th October 2026 passed by the learned Additional Sessions Judge, Sangli in Criminal Bail Application No. 731 of 2026, is as under:

> *"Prosecution alleged that the applicant demanded illegal gratification from complainant Virendra Patil in relation to renewal of closed Shri. Puneshwar Machhimari Sahkari Sanstha, Punvat, Tal. Shirala, Dist. Sangli, to get order in relation to renewal of said society from Mumbai office. Prosecution alleged that the applicant demanded bribe of Rs.2,50,000/- from the complainant for giving said amount to the officers working in Mumbai Office and for staff members of Miraj, to get above-said work done. Later on said amount was settled to Rs.2,00,000/- and the applicant received Rs.1,00,000/-from the complainant. Virendra Patil, complainant gave complaint in ACB office on 31.08.2026 and during verification panchanama on same date, it revealed that the applicant demanded above-said bribe amount from the complainant and also admitted that he received Rs.1,00,000/- earlier from him. At that time, it is*

found that other accused Suresh Londhe was instigating the complainant to pay bribe amount. Even in subsequent verification panchanama on 04.09.2026, same thing happened. Then verification was made in the Mumbai Office on 10.09.2026 and it transpired that no one from said office made demand of money for doing work of the complainant and notice was issued from said office. Thus, only the applicant is found demanding bribe amount from the complainant. On 24.09.2026, trap was made but the applicant was not found in his house and he had even kept his mobile phone in the house and then the trap action was withdrawn. Thereafter first informant Yasmeen Inamdar, Dy. S.P. of ACB, Sangli lodged FIR on 16.10.2026 and above-said crime came to be registered."

6. The papers on record indicate that, FIR is registered on 16th October 2026 against the Applicant and one more person. Undisputedly, the Applicant is a public servant and working as a clerk in the office of Assistant Registrar, Cooperative Societies (Dairy), Sangli. The papers made available by the learned APP shows the complaint dated 31st August 2026 under the signature of the complainant, wherein it is mentioned that, there was demand of gratification by the Applicant of Rs. 2,00,000/-, out of which he paid Rs. 1,00,000/- to the Applicant. The copy of the transcript of the telephonic conversation between the Applicant and the complainant supports the complaint. The material on record shows a *prima facie* case against the Applicant for the offence punishable under

Section 7 of the PC Act. The learned Additional Sessions Judge, Sangli in the order rejecting the application, has considered every aspect of the matter and considered the settled legal position in respect of refusal of bail. The reliance on the order in ***'Nita Narayan Pale v. The State of Maharashtra & Ors.,***[1] wherein this Court has granted anticipatory bail for the offence punishable under Section 7 of the PC Act is of no assistance to the Applicant as the facts of the said case are different. Absence of handwritten complaint in the record is of no assistance for the Applicant, as there is typed complaint under the signature of complainant, which form the basis of registration of crime. In my considered view, this is not a fit case to exercise the powers under Section 482 of the BNSS and the application is liable to be rejected.

7. Hence, the order:

ORDER

i) The Anticipatory Bail Application is rejected.

[NEERAJ P. DHOTE, J.]

RAJU DATTATRAYA GAIKWAD
Digitally signed by RAJU DATTATRAYA GAIKWAD
Date: 2026.11.25 21:25:41 +0530

1 Anticipatory Bail Application No. 150 of 2026 Dtd. 27th April 2026.