

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6792 of 2015

1. Lochan Prasad Patel, S/o. Lakhanlal Patel, Aged about 34 years, Posted as – Gram Sachiv, Gram-Jabga, Tahsil – Dharamjaigarh, District – Raigarh (C.G.), R/o. Boro, Patel Para, P.S. Dharamjaigarh, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the In-charge Officer, Anti-Corruption Bureau, District – Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. Mateen Siddiqui, Advocate
For Respondent/State	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.0/2015, registered at Police Station – Anti-Corruption Bureau, District – Bilaspur (C.G.) for the offence punishable under Section 7, 13(1), D, 13 (2) Prevention of Corruption Act.
2. Case of the prosecution, in brief, is that a report was made by one Rakesh Kumar Jhariya, that the applicant who was working as Secretary Gram Panchayat in order to pass resolution demanded an amount of Rs.7,000/- and the complainant did not want to pay the amount, consequently digital voice was recorded and lastly he was caught raid handed with the amount.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that since

the complainant is the nephew of Kanhaiya Lal Jharia, who is the husband of Upsarpanch, since there was political rivalry has been going on therefore, the applicant has been falsely implicated in this case. He would further submit that charge-sheet in this case has been filed. He would further submit that the applicant is in jail since 06.10.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact of this case and further taking into fact that seizure and evidence has already been collected, conclusion of trial may take some time and the fact that the charge sheet in this case has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge