

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7247 of 2015

Smt. Poonam Sharma, W/o. Dharmendra Sharma, Aged about 30 years, R/o.- of Professor Colony, Tehsil and District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Anti Corruption Bureau, Raipur (C.G.)

---- Respondent

For Applicant	:-	Mr. B.P. Sharma, Advocate
For Respondent/ State	:-	Mr. Ramakant Mishra, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure 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, Raipur District Raipur (C.G.) for the offence punishable under Sections 7,13(1) (e), 13(2) Prevention of Corruption Act read with section 34 of IPC.
2. Case of the prosecution, in brief, is that the complainant Ishwar Pal, made a complaint that the applicant who was the Patwari in order to prepare *rinpustika* demanded Rs. 2,000/- and as per the instructions, the money was paid to one Ganga Prasad, therefore, the applicant was caught red handed.
3. Counsel for the applicant submits that the applicant is innocent and she has been falsely implicated in this case. He further submits that the alleged recovery of money was not made from the possession of the applicant instead of the recovery was from one Ganga Prasad for which the applicant can not be held liable

and no further evidence is required in this case. He further submits that the applicant being lady having 2 years minor girl and she is in jail since 30.11.2015; therefore, she may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the recovery of the amount has already been made from Ganga Prasad and in the voice recorder the conversion between the complainant Ishwar Pal and Ganga Prasad and present applicant still is to be substantiated taking into facts of the case and the degree of allegations; and the fact that the applicant being lady having 2 years minor girl and she is in jail since 30.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-

(Goutam Bhaduri)
Judge