

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 234 of 2016

Radheshyam Mehra, son of Latal Ram Mehra, Chief Executive Officer,
Janpad Panchayat, Pandariya, District Kabirdham (C.G)

Applicant

Vs.

State of Chhattisgarh, through the State Bureau of Investigation
Economic Offences, Anti Corruption Bureau EOW/ACB, Raipur.(C.G).

Respondent

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For the applicant : Dr. N.K.Shukla, Sr. Advocate with
Shiv Shankar Tiwari, Advocate.

For the Respondent : Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No.17/2011 registered at Police Station ACB, Raipur [through State Bureau of Investigation Economic Offences, Raipur (C.G)] for the offences punishable under sections 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act, 1988.
2. As per the prosecution case, a raid was conducted in the house of the applicant on 10.03.2011 and thereafter during investigation it was found that the applicant is possession of property more than his actual income and the disproportionate assets were valued above Rs.1,13,00,000/-. Thereafter the charge sheet was been filed and the applicant has been arrested.
3. Learned counsel for the applicant submits that initially for five

years the applicant served in postal department and thereafter he was working in the State Government for the last 28 years. The applicant has two sons who were earning and assisting him from 2005, one of them has died in the year 2011 and their income has not been assessed. He further submits that the property which was purchased for Rs.3 lakhs has been inflated and assessed at higher value, however, no cash recovery was made from him. He further submits that considering the fact that the all the evidence available in this case is documentary in nature, therefore, the applicant may be released on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. It is a case of disproportionate assets. The raid was conducted in the year 2011 and the applicant has been arrested on 05.01.2016.
6. Taking into totality of such facts and circumstances and degree of allegations levelled against the applicant as also considering the fact that the evidence available is documentary in nature and the charge sheet in this has been filed, I am inclined to release the applicant on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**