

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6635 of 2016

Pramod Shrivastava S/o Late R.K. Shrivastava Aged About 53 Years R/o. G-3, Office Of Excutive Engineer, National Highway Public Works Department- 1, Pension Bada, Raipur, Chhattisgarh, R/o Mauli Para, Telibandha, Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through A.C.B. Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri N. Naha Roy, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.63/2016 registered in Police Station A.C.B., Raipur for offence punishable under sections 7, 13(1) d, 13(2) of the Prevention of Corruption Act, 1988.
2. As per the prosecution case, the applicant who was working as Assistant Grade-III in PWD National Highway had demanded Rs.3000/- to pass medical bill of wife of the complainant Bajrang Sai who was working in the same office as Sub Engineer. Consequently, when amount of Rs.3000/- was given, he was caught red handed. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the complainant was working in the same office as Sub Engineer and he is much higher in hierarchy and it is official dispute between the parties which led to this situation. He further submits that had there been any demand, complainant who is higher officer could have made complaint to the higher officer or accounts department instead since relation were not cordial,

applicant have been trapped in this way, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Case diary reflects that the applicant and the complainant they were working in the same office. Case diary also reflects alleged recovery has already been made. Considering the facts that applicant and the complainant are working in the same office, no report was made by the complainant to the higher officers as would be evident from the case diary. Considering the background that the applicant and the complainant both working in the same office and the complainant appears to be working as Sub Engineer. Alleged seizure has already been made, no further investigation would be necessary in this case, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE