

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 275 of 2017

Jeevrakhan Lal Dhruw, S/o. Late Shri Mansaram Dhruw, Aged About 57 Years, Occupation- Executive Engineer, Rural & Engineering Department, Vikas Bhawan, Raipur, R/o. MIG 708, Padmanabhpur, Thana- City Kotwali, Tehsil & District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Anti Corruption Bureau, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Saurabh Dangi, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/01/2017

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.02/2015 registered at Police Station- Anti Corruption Bureau, Raipur (C.G.) for the offence punishable under Section 13(1)(e), 13(2) of the Prevention of Corruption Act.
2. As per the prosecution case, on a raid being conducted, disproportionate assets worth Rs.93,23,014/- was recovered from the applicant, which was above the earned amount of Rs.1,15,57,900/-, which makes disproportionate amount inflated to the extent of 80.66%.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, as the wife of the applicant runs a Petrol Pump and Poultry Farm and she is a

separate income tax payer and her income has not been included. He further submits that the rental income which was received from the tenants have also not been included in absence of any agreement and the amount of valuation of the house has been inflated though it was constructed in the year 1995. He further submits that the charge sheet has been filed and the trial may take some time and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. It appears that the bulky charge sheet in this case has been filed and 66 witnesses have been enlisted. Taking into facts and circumstances of the case and the nature of evidence, which appears to be documentary in nature and further taking into fact that the trial may take some time for final adjudication and the applicant is in jail since 04.01.2017, 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