

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6804 of 2017

- Shivshankar Bhatt S/o Shri Ram Manohar Bhatt, Aged About 59 Years, Manager Nagrik Apoorti Nigam Head Quarter Awanti Vihar, Raipur R/o HIG 1/138 Sector-1 Pandit Deendayal Upadhyay Nagar, P.S. D.D. Nagar, Raipur Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

For Applicant – Shri Mukesh Sharma, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-11-2017

1. Heard on I.A.No.1/2017 for grant of interim bail which is filed in present MCRC.
2. Learned counsel for the applicant submits that the applicant was arrested on 20-03-2017 in connection with Crime No.17/2015 registered by Anti Corruption Bureau, Raipur (C.G.) for the offence under Section 13(1)(E) and 13(2) of the Prevention of Corruption Act, 1988 (in short 'the PC Act') and the matter is pending before the Special Judge (PC Act) /First Additional Sessions Judge Raipur, C.G. as Special Case No.156/2016. It is submitted that father of the applicant is 89 years old and he is suffering from serious ailment because of which he is admitted in Ramkrishna Care Hospital Raipur. Therefore, prayer has been made for temporary bail for the purpose of managing and supervising the treatment given to the father of the applicant. Reference is made to the order dated 03-11-2017 passed by the coordinate Bench of this Court in MCRC No.6785/2017, in which there is verification report from the State counsel which has confirmed the admission and

treatment of the father of the applicant in Ramkrishna Care Hospital and on that ground temporary bail of two weeks has been granted to the applicant.

3. Learned counsel for the State/non-applicant objects to the application and the submission made in this respect.

4. Considering on the prayer made by the applicant, on humanitarian ground and also considering the fact that the applicant has been enlarged on temporary bail in another case by coordinate Bench of this Court, I am of the view that the temporary bail should be granted to the applicant.

5. Accordingly, the application (I.A.No.01/2017) filed by the applicant for interim/temporary bail is hereby allowed and the applicant is directed to be released on temporary for a period of two weeks from the date of his release 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. After completion of two weeks, the applicant shall surrender before the trial Court.

6. Learned counsel for the applicant prays for withdrawal of main petition (MCRC No.6804/2017) filed under Section 439 of the Cr.P.C. for grant of regular bail without any appreciation on its merit.

7. Consequently, MCRC No.6804/2017 is dismissed as withdrawn with liberty to revive.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge