

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8666 of 2016

Dr. Santosh Kumar Baghel, S/o. Shri Agamdas Baghel, Aged About 51 Years, R/o. Village- Binjharakapa, Tahsil- Lormi, District Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Police Station- Anti Corruption Bureau, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Malay Kumar Bhaduri, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/01/2017

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.09/2016 registered at Police Station- Anti Corruption Bureau, Bilaspur (C.G.) for the offence punishable under Section 13(1)e & 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 at different places wherein amassed properties disproportionate to his income was recovered amounting to Rs. 1,54,97,514 and there was no plausible explanation was given.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as the family members of the applicant were earning for gain, which would justify the income, which has not been considered by the ACB. He further submits that there was no occasion to gain amassed wealth by the

applicant while working as CMO and holding of joint properties were also not considered. He further submits that the charge sheet in this case has been filed 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. The charge sheet in this case has been filed. It appears that 64 witnesses have been enlisted and the trial may take some time. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and the applicant is in jail since 22.12.2016, 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