

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6410 of 2017**

- Sandeep Agrawal S/o Shri Murarilal Dhanania, Aged About 43 Years Occupation Company Secretary, C. G. State Civil Supplies Corporation, Raipur Chhattisgarh R/o House No. 1/15, Harsh Vihaar Colony, Daldal Seoni, Mowa, Raipur District Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Anti Corruption Bureau, Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Kashif Shakeel, Advocate
For Respondent-State	:	Shri J.K. Gilda, AG with Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**C A V Order****(Judgment Reserved on 24.11.2017)****(Judgment Delivered on 29.11.2017)**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 18.03.2015 in connection with Crime No. 09/2015 registered at Police Station Anti Corruption Bureau, Raipur, District Raipur (CG) for the offence punishable under Sections 109, 120 B, 409 & 420 of the I.P.C. and Sections 11, 13 (1) (d) & 13 (2) of the Prevention of Corruption Act, 1988.
2. The First Bail application was dismissed on merits on 01.07.2016.
3. As per the prosecution case, on a raid being conducted in the office of Nagrik Aapurti Nigam by ACB, the applicant who was posted as Company Secretary and also Head In-charge of the Quality Control huge amount was

recovered as the applicant alongwith other co-accused were found with possession of huge cash. The said recovery of amount was made in organized manner and were received from the millers as undue gratification and also on the threat of cancellation of the milled rice. Further, it is stated that after the raid being conducted in the house of the applicant, huge recovery of ornaments and goods were came to fore around Rs.40 Lacs and the cash of around Rs. 6 to 7 Lacs approximately was also found from the house of the applicant.

4. It is contended that the bail of the similarly placed co-accused Kshir Sagar Patel has been allowed by the Supreme Court on 22.09.2017 bearing SLP (Criminal) No.4304/2017, therefore, the applicant may also be enlarged on bail.
5. During the course of hearing learned Advocate General pointed out that the co-ordinate Bench of this Court has dismissed the bail application of the co-accused i.e. of Dilip Kumar Sharma bearing M.Cr.C. No.6359/2017, Moti Lal Sahu bearing M.Cr.C. No.7170/2017 & Sudhir Kumar Bhole bearing M.Cr.C. No.7181/2017.
6. Considering the fact that the bail applications of Dilip Kumar Sharma bearing M.Cr.C. No.6359/2017 is dismissed on 10.10.2017, Moti Lal Sahu bearing M.Cr.C. No.7170/2017 is dismissed on 14.11.2017 & Sudhir Kumar Bhole bearing M.Cr.C. No.7181/2017 is dismissed on 15.11.2017 by the co-ordinate Bench of this Court, I am not inclined to allow this bail application as the institutional parity in orders must exist. I do not find any change of circumstances to reconsider this repeat bail application. Accordingly, the Bail application is dismissed.

Sd/-

Goutam Bhaduri
Judge