

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6133 of 2017

K.R. Janardan, S/o. Late Ajat Ram Janardan, Aged About 58 Years (Presently 66 years), R/o. Beside Shivneri Hotel, Vidya Nagar, Bilaspur, Posted as District Excise Officer (Flying Squad), Shailendra Nagar Raipur, District Raipur (Retired) Presently Residing at Beside Shivneri Hotel, Vidya Nagar, Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Anti Corruption Bureau, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Rajeev Shrivastava, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.11.2017

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.38/2009 registered at Police Station- EOW/ ACB Raipur (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, on a raid being conducted on 05.09.2017, disproportionate properties to the extent of 200% more than the income of the applicant in between the period 01.01.1995 to 25.10.2009 was assessed, which was of Rs.2,18,33,648/- and no plausible explanation was given. After filing of the charge sheet, the applicant was arrested and he is in jail since 05.09.2017.

3. Learned counsel for the applicant would submit that the charge sheet has been filed and no further investigation is necessary, the wife of the applicant is an income tax payee and both sons are also income tax payee and the trial may take some time taking into voluminous documents, 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 voluminous charge sheet, which has been filed. Considering the various medical documents of ailment of the applicant who is aged about 58 years and taking into fact that he is in jail since 05.09.2017 and the trial may take some time, 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