

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 792 of 2018

- Raj Kishore Narware S/o Shri Dhanaram Narware Aged About 43 Years R/o Nakapara Ward No. 1, Khairagarh Road, Dongargarh, District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station A C B Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. UKS Chandel, Advocate.
For Respondent : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/02/2018

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. 0/2018, registered at Police Station- ACB Raipur, District – Raipur(C.G.) for the offence punishable under Sections 7,13(1)(d)(2) Prevention of Corruption Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 9.1.2018. Applicant has convincing defence in this case against him. Applicant is a government servant although presently under suspension. There is no likelihood of his absconsion and he is willing to abide by all the conditions and direction, which may be imposed on him while granting

bail. Hence, it is prayed that applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is serious allegation against the applicant about demand bribe of Rs.1,50,000/- and pursuant to that on the complaint made by the complainant, he has been trapped receiving Rs.10,000/- from the complainant. Hence, he is not entitled with the grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Complainant-Anil Singh Rajput filed a complaint before ACB, Raipur alleging in it that this applicant, who had been a Patwari of Village-Achholi has kept in his possession the Rin Pustika and registered sale-deed belonging to the complainant and was demanding Rs.1,50,000/- as bribe to return the same. The trap was organized and on 9.1.2018 applicant was caught red handed receiving Rs.10,000/- from the complainant. Hence, this case.
6. Considered.
7. As the applicant is still a government servant and there is no likelihood of his absconsion. Investigation has not yet completed. Stringent condition may be imposed for grant of bail for ensuring his presence before the investigating authority as well as the trial Court.
8. Taking into consideration all the facts and circumstances of this case, I am of this view that applicant should be benefited with the grant of regular bail.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in

the like sum to the satisfaction of the concerned Court, for his appearance as and when directed. Condition is imposed that applicant shall cooperate with investigation and shall not make use of his liberty to influence or harass the witness of this case.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha