

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1062 of 2018

- Smt. Lata Saxena W/o Dhanesh Saxena Aged About 32 Years R/o Village Pandaritarai, P.S. Rajim District Gariyaband Chhattisgarh At Present R/o Village Bhagat Devari (Halka Patwari), P.S. Sankara District Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Anti Corruption Bureau Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicant :Mr. Raghvendra Pradhan, Advocate.
For Respondent/State :Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

19/02/2018

1. This application is being heard on out of turn for the reason that applicant is a pregnant lady.
2. 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. 13/2017, registered at Police Station- Anti Corruption Bureau, District – Raipur(C.G.) for the offence punishable under Sections 7, 13(1)(D) & 13(2) Of Prevention of Corruption Act.
3. Learned counsel for the applicant submits that the applicant is a Halka Patwari, who has falsely been implicated in this case and she is in jail 31.8.2018. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant on the basis of the

material present in the charge-sheet. Applicant is a pregnant woman and is in jail since 31.1.2018. Medical papers have been submitted in this respect, hence, it is prayed that applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. Complainant Devendra Nayak gave a written complaint in ACB, Raipur stating that applicant was asking for sum of Rs.4,500/- as bribe for making entries in the revenue records and preparing Rin Pustika. On that basis, a trap was arranged and applicant was trapped receiving the tainted amount of bribe on 10.4.2017. Subsequent to that the case has been investigated and charge-sheet has been filed.
7. Considered.
8. As it appears, that applicant is a public servant and the case against her is likely to take some time before its conclusion, no purpose would be served if the applicant is kept in detention till the conclusion of trial, hence, it is a fit case for grant of 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge