

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1791 of 2018

Manoj Singh Thakur S/o Late Mohar Singh Thakur, Aged About 57 Years
Occupation Superintending Engineer, Urban Administration And Development
Department, Indravati Bhawan, Naya Raipur Bilaspur, R/o H.No. Senior M.I.G.
285, Sector 2, Deendayal Upadhyay Nagar, Tehsil And District Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Anti Corruption Bureau Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Saurabh Dangi, Advocate
For State	:	Shri Manish Nigam, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/04/2018

Heard.

The applicant has been arrested in connection with Crime No.40/2015 registered in Police Station- Anti Corruption Bureau, Raipur (C.G.) for alleged commission of offences under Sections 13 (1) (e), 13 (2) of Prevention of Corruption Act.

2. Case of the prosecution is that the applicant is alleged to have amassed wealth beyond his known source of income to the extent of Rs.71,22,771.64 p.
3. Learned counsel for the applicant submits that registration of crime on the said allegation of being possessed of assets disproportionate to the income of the applicant is based on hypothetical, unrealistic and exaggerated assessment of wealth of the applicant ignoring valid explanations of those assets in the hands of the applicant which are in the nature of gifts to the wife at the time of marriage, vehicle not belonging to him and various cash receipts from other members of the family who are earning. He submits that various receipts of gifts were duly informed to the department by the applicant from time to time and it cannot be said that he suppressed those income as

alleged by the Anti-Corruption Bureau. He further submits that all through the enquiry which have been carried out, the applicant cooperated with the investigating team of the Anti-Corruption Bureau and therefore, there is no likelihood of he absconding or in any other manner misusing the liberty in the event of grant of bail. He further submits that there are large number of prosecution witnesses and large number of documents, therefore, trial is not likely to be concluded early and as the further detention of the applicant is not necessary in the case, he may be granted bail.

4. On the other hand, learned counsel for the State opposes bail application and submits that in a detailed enquiry and investigation made, it was found that the applicant, a Government Servant, is possessed of wealth highly disproportionate to his known source of income to the extent of Rs.71,22,771.64 p. which is 91.87% more than his total income during check period.

5. The prosecution case is of applicant having been involved in amassing disproportionate wealth to the extent of Rs.71,22,771.64 p. The material collected by the prosecution and placed before the Court in the documents filed by the applicant shows that on *prima facie* case having been made out against the applicant by the Anti-Corruption Bureau, charge sheet has been filed against him and upon filing of charge sheet, the applicant has been arrested on 23/02/2018. Therefore, taking into consideration the case of the prosecution and amount involved, as also the period of detention of the applicant and that it is, at present, not a case of undue delay in trial, I am not inclined to grant bail to the applicant at this stage. The application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge