

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2533 of 2018

R.K. Verma, S/o. N.P. Verma, Aged About 50 Years, R/o. R-7/9, Ramvalley Colony, Bilaspur, District- Bilaspur, Chhattisgarh, Posted as Sub Engineer, P.W.D. Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. E.O.W. & A.C.B. Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.C.Tiwari, Sr. Advocate with Mr. Ashutosh Trivedi, Advocate

For Respondent : Mr. Ashish Shukla, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.05.2018

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.44/2015 registered at Police Station- E.O.W. & A.C.B. Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 427, 120(B) of Indian Penal Code and Section 13(1)(d), 13(2) of P.C. Act.
2. As per the prosecution case, the applicant was working as Sub Engineer in P.W.D. at the time of construction of bridge over the Arpa River Koni. It is alleged that the applicant in connivance with the Contractor indulged in to conspiracy and made a forged entry in the measurement book that all the work has been done according to the specification but subsequently the bridge was damaged and it was found that the work was not carried out as per the specification. It was stated that the M.S. Liner, Steel cover on the pillars were not given and even the concrete was not up to

the mark. Eventually, the charge sheet was filed on 08.12.2016 in respect of the FIR which was lodged on 23.07.2016.

3. Learned counsel for the applicant submits that the applicant is in custody since 24.01.2018 and other accused are still absconding. He further submits that the charge sheet has been filed, no further investigation is necessary and all the evidences are documentary in nature; 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. It appears that there are other accused also. The charge sheet has been filed and the matter is pending before the Special Judge, P.C. Act, Bilaspur. The voluminous documents of 594 pages have been filed, 22 witnesses have been enlisted and few of the accused are still at large and the trial may take some time. Considering the fact that no further investigation is necessary, all the documents have been placed on record and the incident is of 2015 and the construction was of 2013-14, 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