

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2495 of 2018

- Ku. Nanda Sahu D/o Sewaram Sahu Aged About 27 Years
Occupation- Patwari, Halka No. 33, Komakhan, Tehsil- Bagbehara,
District- Mahasamund, R/o- Ayodhya Nagar, Ward No. 3, Near Good
Shepherd School, Mahasamund, District- Mahasamund, Chhattisgarh.,
District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.- Anti Corruption Bureau/economic
Offences Wing, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Aditi Singhvi, Advocate.
For Respondent/State	:	Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.34/2017, registered at Police Station- Anti Corruption Bureau/Economic Offences Wing, Raipur, District – Raipur(C.G.) for the offence punishable under Sections 7, 13(l)(d), 13(2) of Prevention of Corruption Act.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is a public servant posted as Patwari, Halka No.33 of R.I. Circle, Komakhan, District-Mahasamund. Applicant is in jail since 24.3.2018. The FIR was registered on 30.10.2017 and on the same day the trap was arranged and the

procedure has been conducted by the respondent, but the applicant was not arrested by the respondent. On 24.3.2108 on the date of filing challan when the applicant appeared before the Court, she was arrested and sent to detention. Applicant had co-operated throughout the investigation and she is a public servant. Presently the case is before the trial Court and trial is likely to take considerable time for its conclusion. Hence, it is prayed that she may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that according to the investigation made in this case, a *prima facie* case is made out against the applicant for her prosecution in the offence registered against her. Hence, she is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Complainant Nagendra Thakur made a complaint to the respondent, that this applicant in capacity of public servant was asking for bribe to perform some official function regarding preparation of Rin Pustika of the complainant. On the basis of that complaint, trap was arranged and the applicant was trapped on the date of incident, the bribe money was seized from her possession. After completion of all the procedure, investigation has been completed and charge-sheet has been filed.
6. In the present situation, no purpose would be served to keep the applicant in detention till the conclusion of trial, hence, for this reason, I am inclined to grant regular bail to the applicant.
7. 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 her 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 her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha