

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2666 of 2018

- Sudhir Patel S/o Singeshwar Patel, Aged About 49 Years, Occupation- Contractor, R/o H.I.G.-9, Chiranjivi Das Nagar, Tahsil And District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Chakradhar Nagar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri J.K. Saxena, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-05-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 05-04-2018 in connection with Crime No.179/2016 registered at P.S. Chakradhar Nagar, District- Raigarh, Chhattisgarh for the offence under Section 420, 467, 468, 471, 120-B of IPC and Section 13(1), 13(2) (D) of Prevention of Corruption Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 05-04-2018. No case is made out against him. Co-accused persons Suklal Sahu has been granted bail by this Court and co-accused Karan Singh Karsolia has been granted bail by Hon'ble the Supreme Court. Hence, not being the main accused in this case, this applicant is also entitled for grant of regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that without publication of any tender notice this applicant joined hands with the officers of Public Health Engineering department and obtained work order for constructing boundary wall, process regarding the financial

documents etc. were forged and offence of cheating has been committed at the behest of this applicant. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant collaborating with main Accused Kanran Singh Karsoliya, Executive Engineer in Public Health Engineering department, Raigarh without any publication of tender notice obtained work order of a job after certification of the financial documents.

6. After considering all the facts and circumstances of this case, particularly this fact that the co-accused persons who are mainly engaged in commission of offence, have been granted bail, I am of this view that this applicant also deserves to be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge