

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3305 of 2018**

Saiyaad Arif Iqubal, S/o. Saiyaad Gulam Farooq Pasha, Aged About 57 Years, R/o.- Near Circuit House Dongargarh, Tahsil- Dongargarh, District- Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- S.P. Anti Corruption Beuro, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Praveen Das, Advocate

For State/respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**18/05/2018**

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.29/2017, registered at Police Station – Anti Corruption Bureau, District Raipur (C.G.), for the offence punishable under Section 7, 8, 13 (1) (d) & 13 (2) of the Prevention of Corruption Act and Section 120-B of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. The applicant is in jail since 23.04.2018. The applicant is a clerk posted in the office of S.D.M., Dongargarh. The case was registered on 05.10.2017,

whereas, charge-sheet has been filed on 23.04.2018, in the meanwhile, no attempt was made by the respondent to arrest this applicant. The applicant appeared and he was been taken into custody and sent to jail. The applicant is ready and willing to abide by all the conditions that may be imposed while enlarging him on bail. Hence, it is prayed that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this applicant happens to be a main accused in this case, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, complainant Maneesh Thakur filed a complaint in ACB, Raipur stating that this applicant was demanding bribe of Rs.11,000/- for preparing solvency certificate in his favour. On the basis of complaint, a trap was organized and the applicant was handed over a tainted bribe money. Trap party recovered Rs.1,000/- from the applicant and it was stated that the remaining amount of Rs.10,000/- has been handed over the SDO. Subsequently, the investigation has been completed and charge-sheet has been filed.
6. Considered on the submissions made, contents of the case diary and the entire material present in the charge sheet. As the investigation is complete in this case and the trial is likely to take considerable time for its conclusion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram