

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6256 of 2018

Pratap Singh Chandel, S/o. Late Shri Jageshwar Singh, Aged About 57 Years, R/o. Quarter No. 3/1030 (Beside Bunglow No.-M.I. 70), Bilaspur, District Bilaspur Chhattisgarh, Posted as Sub- Divisional Officer Bridge, Division Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station E.O.W. & A.C.B. Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Goutam Khetrapal, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03.10.2018

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 and Section 3 of Prevention to Public Property Act, 1984.
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 verified 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 06.08.2018 and other accused are still absconding. He further submits that the charge sheet has been filed, no further investigation is necessary, all the evidences are documentary in nature and the similarly placed co-accused R.K.Verma has already been enlarged on bail by this Court on 14.05.2018 in MCRC No.2533 of 2018; therefore, the present 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 and further it is not disputed that the similarly placed co-accused Mr. R.K.Verma has been enlarged on bail by this Court in MCRC No.2533 of 2018, 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

Ashok