

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6483 of 2017

Kaushal Kishore Yadu S/o Late Shri M. L. Yadu Aged About 52
Years R/o District Manager, Chhattisgarh Civil Supplies
Corporation Limited, Bilaspur, Chhattisgarh., Chhattisgarh
--- **Petitioner**

Versus

State of Chhattisgarh Through Officer-In-Charge, Anti
Corruption Bureau, E. O. W. , Bilaspur, Chhattisgarh.,
Chhattisgarh
---**Respondent**

For the applicant	:	Mr. Anish Tiwari. Advocate
For the Respondent	:	Mr.Ashish Shukla, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.01.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 19/2015 registered at Police Station Anti Corruption Bureau (E.O.W), Billapur (C.G) for the offences punishable under Section 13(1)(e) and 13(2) of the Prevention of Corruption Act, 1988.
2. As per the prosecution case, one FIR was registered against the applicant for misuse of power and amassing the assets disproportionate to the actual source of income for which several raids were conducted and in such raids, the amount of Rs.1,70,78,288/- was found to have been possessed by the applicant and the said amount was 151% above the legal source of income thereby the offence has been committed.
3. Learned counsel for the applicant would submit that this is

first bail application and the applicant was also arrested in another Crime No.9/2015 which was registered at Raipur wherein the applicant has been enlarged on bail by Supreme Court vide order dated 21.11.2017 passed in SLP (Crl.) No. 8755/2017 on the ground that that co-accused Kshir Sagar Patel was released on bail in SLP (Crl.). No. 4304/2017 on 22.09.2017 having regard to the period for which he has already been in custody. He submits that the applicant is in jail since 31.07.2015 and the charge sheet has been filed, therefore, the applicant is also entitled for similar relief.

4. Learned State Counsel opposes the bail application.
5. Perused the bail order of the petitioner passed in SLP (Crl.) No. 8755/2017 on 21.11.2017 whereby the Supreme Court referring to the order dated 22.09.2017 passed in case of co-accused Kshir Sagar Patel granted bail to the present applicant having regard to the period for which he has already been in custody. The copy of the order passed in SLP No.4304/2017 in respect of co-accused Kshir Sagar Patel and the copy of the order passed in SLP No.8755/2017 in respect of the present applicant are produced before this Court. The present crime is under Section 13(1)(e) and 13(2) of the Prevention of Corruption Act 1988 wherein according to the State Counsel, out of 50 witnesses, 35 have been examined. Taking into the period of detention of the applicant and the fact that the applicant has been enlarged on bail by the Supreme Court in SLP (Crl) No. 8755 of 2017, I am inclined to allow this bail application.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to

the satisfaction of the concerned trial Court for his
appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**

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