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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1757/2018**

B.K. BASAVARAJU

..... Petitioner

Represented by: Mr. Basava Prabhu S. Patil,
Senior Advocate with
Mr. Rajesh Mohale,
Mr. Chinmay Deshpande and
Mr. Geet Ahuja, Advocates.

versus

CBI(DELHI)

..... Respondent

Represented by: Mr. Ripu Daman Bhardwaj,
SPP for CBI with Insp.
Ravinder Kumar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.08.2018

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1. By this petition, the petitioner seeks bail in case FIR No. RC ACI 2018 A0013 under Section 9 of the Prevention of Corruption Act read with Section 120B IPC.

2. The above noted FIR was registered on reliable sources by the CBI informing that to get a favourable order for the enhancement of seats in college, Ms. Anjana Kedari Redekar entered into criminal conspiracy with the petitioner who was having close contacts and personal influence with Shri B.R. Ramakrishna, President of Central Council of Indian Medicine (CCIM), Ministry of AYUSH, Govt. Of India, New Delhi.

BAIL APPLN. 1757/2018

page 1 of 3

3. The source information discloses that in the month of June and July 2018, the petitioner informed Ms. Redekar that the President, CCIM had shown his willingness for recommending the name of her college for issuance of Letter of Permission from Ministry of AYUSH for increasing its admission capacity from 60 candidates to 100 candidates. In the source information there is a reference as to what amount the earlier President, CCIM used to take for enhancement of seats, however, the information available with the CBI qua the present transaction was that Ms. Redekar will be paying a bribe of ₹10 lakhs as part payment to the petitioner out of agreed amount of ₹17 lakhs.

4. A raid was conducted when the petitioner along with his family had gone to meet his ailing mother-in-law who was staying at Dharwad. On this source information a raid was conducted when Ms. Redekar met the petitioner at a dhaba style hotel in Shankeshwar, Belgaon on 15th July, 2018 enroute Dharwad where his mother-in-law was residing.

5. Admittedly when the raid was conducted and search of the petitioner was taken only ₹32,500/- were recovered from the petitioner and a sum of ₹11 lakhs was seized from Ms. Redekar. Ms. Redekar was not arrested at the spot, however, the petitioner has been arrested.

6. Learned counsel for the CBI fairly admits that the petitioner is not an officer who was part of the Committee to take the decision on the enhancement of the seats. Though the case of the CBI is that the petitioner was very close to the President of the CCIM, however, merely the said fact is not sufficient to arrive at the inference of a conspiracy between the petitioner and the President CCIM.

7. Considering the facts noted above and that the petitioner is now in Judicial Custody since 16th July, 2018 and the recovery from the petitioner was a sum of ₹32,500 only and Ms. Redekar from whom recovery has been made was not arrested at the spot, this Court deems it fit to grant bail to the petitioner.

8. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with two surety bonds of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

9. Petition is disposed of.

10. Order dasti.

MUKTA GUPTA, J.

AUGUST 01, 2018
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