

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1615 of 2019

Shivshankar Bhatt, S/o. Sri Manohar Bhatt, Aged About 59 Years, R/o. Deen Dayal Upadhyay Nagar Raipur, P.S.- D.D. Nagar Raipur, Tahsil Raipur, Civil Revenue District Raipur Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Mukesh Sharma, Advocate

For Respondent : Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.04.2019

1. This is the 8th 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.09/2015, registered at Police Station- Anti Corruption Bureau, Raipur (C.G.) for the offence punishable under Section 11, 13(i)(d) & 13(2) of the Prevention of Corruption Act, 1988 & Section 109, 120B, 409 & 420 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant being working in the Nagrik Aapurti Nigam i.e. Civil Supplies and posted at Head Quarter, Raipur, as Manager and was In-charge of 27 Districts for supply of Public Distribution System had misappropriated the government paddy which was meant for Public Distribution System and in connivance with the other co-accused in an organized manner received the amount from the different miller and also on the threat of cancellation of the milled rice received the amount from transporters. Further, it is stated that they collected the sub-standard broken rice and collected

money from the transporters, on that account received the amount by arm twisting the millers. The said collected amount on different heads were accounted were being maintained separately which was seized. Thereby, the offence is committed.

3. Perusal of the record would show that the Hon'ble Supreme Court on 08th May, 2018 has dismissed the bail application of the applicant with a liberty to repeat the bail application before the trial Court if the trial is not completed within a period of one year. The order of the Supreme Court is dated 08.05.2018, therefore, if any order of bail at this stage is entertained, it would amount to over-reach the order of the Supreme Court. The applicant can very well agitate all the grounds before the trial Court as liberty has been granted to him by the Supreme Court.
4. In the facts of this case, after going through the order of the Supreme Court, I am not inclined to entertain this repeat bail application. Accordingly, it is dismissed.

Sd/-
(Goutam Bhaduri)
Judge