

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6469 of 2019

- Devesh Kumar Baghel S/o Dharmu Ram Baghel, Aged About 45 Years, R/o Village Takraguda, Post I.T.I. Bastar, Police Chowki Bastar, District Bastar, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Anti Corruption Bureau Raipur, Unit Jagdalpur, District-Bastar, Chhattisgarh.

---- Respondent

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MCRC No. 6075 of 2019

- Abdul Rauf Khan, S/o Late Abdul Hafiz Khan, Aged About 55 Years Occupation Assistant Grade-Ii, Office At Deputy Director, Nagar And Gram Nivesh, Regional Office Jagdalpur, District-Bastar, Chhattisgarh, Permanent R/o House No. G-8, Vargis Colony Aghahanpur, Jagdalpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Anti Corruption Bureau, Raipur, District-Raipur, Chhattisgarh

---- Respondent

For Applicants : Mr. Raghvendra Pradhan, Advocate in
MCRC No.6075/2019.

Mr. P.K. Tulsyan, Advocate in MCRC
No.6469/2019.
For Respondent : Mr. Devendra Pratap Singh, Dy. Adv.
General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/10/2019

1. Both these applications filed under Section 439 of the Code of Criminal Procedure, 1973 are the first bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.0/2019 in MCRC No. 6075/2019 & Crime No. 20/2019 in MCRC No. 6469/2019 registered at Police Station- Anti Corruption Bureau Raipur Unit Jagdalpur, District – Bastar(C.G.) for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. These applicants have not committed any offence. There is no further requirement of their detention for the purposes of investigation, hence, it is prayed that they may be released on regular bail.
3. Learned counsel for the respondent/State opposes the applications and submissions made in this respect. It is submitted that both the applicants have been caught red handed receiving bribe from the complainant, therefore, they are not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, complainant Lekhram Dewangan, who is a colonizer, was demanded a bribe of Rs.2,00,000/- by both these applicants for the purposes of renewal of his colonizer license.

Applicant Devesh Kumar Baghel is Deputy Director of Town & country Planning Department, whereas applicant Abdul Rauf Khan was a Clerk in the same department. The complainant complained about this demand to the ACB, Jagdalpur, thereafter a trap was arranged on 30.8.2019, in which, both the applicants were caught red handed receiving the bribe money from the complainant. Hence, this case.

6. Investigation in this case is pending, but there appears no requirement of the continue detention of these applicants. Both the applicants are public servants, for these reasons, I feel inclined to allow the applications of regular bail of both these applicants.
7. Accordingly, the bail applications of applicants are allowed. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge