



**.HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B.Criminal Misc. Bail No. 812 / 2017

Bhupendra Kumar Saharan S/o Shri Bahadurram, By caste Jat,
Resident of House No. 6C-6, Jainarayan Vyas Colony, Bikaner at
present Technical Helper, First GSS Himtasar, Office of Assistant
Engineer, Sub-Division-VII, J.V.V.N.L.Bikaner.

(At present lodged in Central Jail, Bikaner)

-----Petitioner

Versus

State of Rajasthan

-----Respondent

For Petitioner : Mr. BR Godara

For Respondent : Mr. K.V.Vyas, P.P., for the State

HON'BLE MR. JUSTICE P.K. LOHRA

Order

27/01/2017

Being arrested in connection with FIR No.10/2017 of ACB
Out-post, Bikaner under Sections 7, 13(1)(d) and 13(2) of the
Prevention of Corruption Act, accused-petitioner has laid this bail
application under Section 439 Cr.P.C. After arrest, petitioner made
endeavour for seeking bail before Special Court, Anti Corruption
Cases, Bikaner (for short, 'learned trial Court') but the learned
trial Court by its order dated 19.01.2017 declined his prayer.

It is submitted by learned counsel for the petitioner that the
petitioner was simply Helper and no work of the complainant was
pending with him. Learned counsel further submits that the
amount which was recovered from the petitioner was in fact paid
by complainant to him for depositing in the department. Learned
counsel has further urged that petitioner is a public servant and



there is no question of his absconding in the matter. Lastly, it is urged by learned counsel that petitioner is in custody since 13.01.2017 and therefore prima facie looking to his criminal delinquency, he may be enlarged on bail.

Learned Public Prosecutor has opposed the bail application in general.

Having heard learned counsel for the petitioner as well as learned Public Prosecutor and taking into account totality of circumstances, without expressing any opinion on merits of the case, I feel inclined to grant indulgence to the petitioner.

Consequently, the bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner Bhupendra Kumar Saharan S/o Shri Bahadurram arrested in connection with F.I.R. No.10/2017, ACB Out-post, Bikaner may be released on bail; provided he furnishes a personal bond of Rs.50,000/- with two surety bonds of Rs.25,000/- each to the satisfaction of the learned trial court with the stipulation to appear before that Court on all dates of hearing and as and when called upon to do so.

(P.K. LOHRA)J.

Bharti/51