

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3012 OF 2015**

Abhisek Gupta alias Sonu Gupta S/o Shri Manoj Gupta, R/o-Dharamshala Road Jhariya, District & P.S. Dhanbad (Jharkhand) At present resides Poladiha, City Centre, Durgapur (West Bengal)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station-Chowki Manikpuri-City Kotwali, Korba, District Korba (Chhattisgarh)

---Non-applicant

For Applicant	:	Mr. Sandeep Dubey, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**CAV ORDER****31/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.208 of 2015, registered at Police Chowki-Manikpuri, Police Station-City Kotwali, District-Korba (CG), for the offence punishable under Section 420 of the IPC and 66 (K) of the Information Technology Act.

2. Case of the prosecution, in brief, is that, in the collusion with other two co-accused persons the present applicant has withdrawn Rs.35750/- and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated. There is no evidence on record to connect the present applicant in offence in question.

Learned counsel would further submit that the applicant is studying in 8th semester of Bachelor of Engineering, he is jail since 10.5.2015, charge-sheet has already been filed and no useful purpose would be served keeping him in jail.

4. On the other hand, learned State counsel would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and taking the note of the fact that the applicant along with co-accused persons is alleged to have withdrawn Rs.35750/- from the account of complainant Smt.Sirat Fatima and memorandum statement of Shital Bhawani Gupta, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-