

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3889 OF 2015**

Sheetal Bhawani Gupta @ Vikram S/o Shri Bramhadev Prasad Ram, aged about 26 years, R/o Village Rajwadi Jhariya, Dhanbad, Civil and Revenue District Dhanbad (Jharkhand)

---Applicant**Versus**

State of Chhattisgarh, Through District Magistrate/Station House Officer, Police Station Balco, District Korba (C.G.)

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate.
For-Non-applicant	:	Mr. Siddharth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/08/2015**

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. 88/2015, registered at Police Station Balco, District Korba (C.G.), for the offence punishable under Section 420, 34 of Indian Penal Code & Section 66 (C) & (D) of Information & Technology Act.

2. Case of the prosecution, in brief, is that, applicant is alleged to have withdrawn Rs. 46,789/- from the account of complainant-Ravindra Nath by fraudulently obtaining ATM number on 18/04/2015 and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in

question. He would further submit that it is co-accused who has taken money. He would lastly submit that charge sheet has been filed and applicant is in jail since 09/05/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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 offence; material collected by the prosecution against the applicant and manner in which complainant's money has been withdrawn fraudulently, this Court is not inclined to release the applicant on regular bail.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