

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6754 of 2015

Najrul Ansari, S/o. Liyakat Miya, Aged About 27 Years, R/o. Village Virajpur Kenduatand, Police Station - Karmatand, District Jamtada (Jharkhand)

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station - Baradwar, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. Deepak Kumar Singh, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

1. This is the first 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.19/2015, registered at Police Station– Baradwar, District Janjgir-Champa (C.G.) for the offence punishable under Section 120(B) of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant alongwith the other co-accused impersonating themselves as officer of SBI obtained ATM card number and Pin number of the complainant Mangal Das Khunte on 08.12.2014 and withdrawn Rs.61,000/- from his Bank Account. Therefore, the offence has been registered.
3. Learned counsel for the applicant submits that the main offence under Section 419 & 420 of IPC has been compromised and only the case under Section 120(B) of IPC is pending against this applicant, which cannot continue and therefore he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perusal of the order sheet shows that the case under Section 419 & 420 of IPC has been compromised and only the case under Section 120(B) is pending; therefore, considering the facts and circumstances of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge