

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4649 OF 2015**

Liyakat Miya son of Samir Miya aged about 55 years R/o village Virajpur, P.S.
Karmatad District Jamtada (Jharkhand)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station
Baradwar, District Janjgir-Champa (C.G.).

---Non-applicant

For Applicant	:	Mr. G.R. Miri and Mr. Basant Kaiwartya,
Advocates.		
For-Non-applicant	:	Mr. O.P. Sahu, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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. 19/2015, registered at Police Station Baradwar, District Janjgir-Champa (C.G.), for the offence punishable under Sections 420, 120-B/34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant and other co-accused persons impersonating themselves as Officer of SBI obtained ATM card number and PIN of complainant Mangal Das Khunte on 08/12/2014 and withdrawn Rs.61,000/- from his bank account.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question. He would further submit that questioned SIM number is not owned

by the applicant and he is in jail since 05/06/2015, 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; and further taking into considering the manner in which applicant and other co-accused obtained ATM card number and PIN of complainant and withdrawn huge money from his bank account, this Court is not inclined to release the applicant on regular bail.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