

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5960 of 2015

Roshan Lal S/o Late Paras Ram Satnami Aged About 40 Years
Occupation Service, R/o Village Chhirhutti, P.S. Lormi, Civil Distt.
Bilaspur And Rev. Distt. Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through, S.H.O. Police Station Kota, Distt.
Bilaspur Chhattisgarh.

---- Respondent

For applicant – Shri Awadh Tripathi, Advocate.
For Respondent/State – Shri Om.P. Sahu, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 306/2015 registered in Police Station Kota, Distt. Bilaspur (C.G.) for offence punishable under Section 420, 467, 468, 471, 384, 34 of IPC and Section 3 & 4 of Protection of Debtor Act.
2. As per the prosecution case complaint was lodged by one Durjan Singh Uikey against the applicant that he had account in the bank and the applicant had stolen the cheque and on the basis of that ATM card was issued wherefrom amount for the period of time totaling Rs.5,08,200/- was withdrawn.
3. Learned counsel for the applicant submits that it is not possible for the applicant to withdraw amount and alleged amount was withdrawn for the period of time from 2007 nothing was complained or it was objected

and only in the year 2015 such report is made. He further submits that all the transaction are in documentary nature and therefore there is no chances of tampering the same and therefore applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact and nature of allegation as has been alleged applicant was taking out amount from the bank from 2010 to 2015 as according to the case diary evidence is in documentary nature and the degree of allegation, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE