

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6096 of 2015

Mohd. Akram @ Sameer S/o Mohd. Mustafa Aged About 34 Years
R/o Village - Sangrampur, Police Station - Bisouli, Distt. Badayun
(Uttar Pradesh), Present Address : Prem Nagar, Street No. 01,
House No. C-54, Patel Nagar Delhi.

----Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg
Chhattisgarh

---- Respondent

For applicant – Smt. Fouzia Mirza, Advocate.

For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 397/2015 registered in Police Station Supela, Distt. Durg (C.G.) for offence punishable under Section 420, 467, 468, 471, 34 of IPC and Section 66 and 66 (A) of the Information & Technology Act.
2. As per the prosecution case, one Lukas and Desmend Nigerian Citizen contacted different persons one of them was Mohd. Akram and allured them to give the commission on the assurance that amount due to Lukas and Desmend could not be deposited in their account being foreign national and in turn would be deposited in others account and they would be paid the commission. Lukas and Desmend in such process had got

opened several account of people and certain money were transferred in the account and in consequence an amount of Rs.25 lakhs which was to be paid to Jindal Steel by Dinesh Trading company in turn was disturbed and hacked and was deposited in the account of Manoj Kumar. Likewise, account was also opened in the name of Mohd. Akram wherein certain amount were deposited and commission was being paid to Mohd Akram by such Lukas and Desmend.

3. Learned counsel for the applicant submits that Nigerian persons Lukas and Desmend had allured applicant and other persons to open account on the ground that they being foreign national cannot open account and therefore amount may be deposited in the Indian National Account which would be withdrawn by such Lukas and Desmend in turn commission would be paid to them. Therefore, the applicant has not done any offence rather he has been allured and duped. It is further submitted that charge sheet in this case has been filed and all the account and the documentary evidence has been seized, therefore considering the detention of the applicant, he may be released on bail.

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

5. Considering the allegations levelled and it appears that all the transaction which are routed through which are of documentary nature of bank account and the charge sheet has been filed, taking in to account nature of allegation against this applicant and prima facie it appears that primary offence of hacking the account was done by Lukas and Desmend and taking into allegation against this applicant and the available evidence, 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

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