

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4963 of 2015**

Rohit Kumar Sharma @ Santosh, S/o Shri Badal Sharma, aged about 23 years, R/o Village Kapsa, Police Station Sarat, District Devdhar (Jharkhand).
---- Applicant

Versus

State of Chhattisgarh, through Police Station Durg, District Durg (C.G.)
---- Non-applicant

For Applicant	:	Shri B.P. Singh and Shri Purnendra Khichariya, Advocate
For Non-applicant:		Shri Neeraj Jain, Government Advocate for the State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/09/2015

(1) Heard.

(2) This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.335/2015 registered at Police Station Durg, District Durg for the offence punishable under Sections 420, 34 of the Indian Penal Code and Section 66(घ) of the Information Technology Act.

(3) Case of the prosecution, in brief, is that, present applicant along with other accused person obtained ATM Pin Code of the complainant Smt. Sanjya Ratre and withdrawn an amount of Rs.24,000/- from the complainant account and thereby, committed the aforesaid offence.

(4) Learned counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He further submits that charge-sheet has already been filed and applicant is in jail since 13.07.2015, therefore, the applicant may be released on bail.

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

(6) I have heard learned counsel appearing for the parties and perused the case diary.

(7) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, material collected by the prosecution, the role of the applicant and the manner in which, applicant withdrawn an amount of Rs.24,000/- from the complainant account, I am not inclined to release the applicant on bail. Therefore, the application is rejected.

(8) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-