

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr.C(A) No.365 of 2016**

Rajesh Kumar Agrawal, S/o. Late Purushottam Lal Agrawal, aged about 40 years, R/o. HIG-1/2201, MPHB Colony, Industrial Area, Bhilai, Police Station Jamul, Tahsil and Distt. Durg (CG)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Durg, Distt. Durg (CG)

---- Respondent

For Applicant - Shri Awadh Tripathi, Advocate.
For Respondent/State - Shri Sangharsh Pandey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****21.4.2016.**

This application under Section 438 of the Code of Criminal Procedure, has been filed by the applicant apprehending his arrest in connection with Crime No.231/2016 registered at Police Station Durg, District Durg (CG) for offence punishable under Section 420/34 of the Indian Penal Code read with Section 66(B) and 66(D) of the Information Technology Act.

2. As per the case of prosecution, report was made by one Lokesh Patil, who is working in the office of RTO, that the applicant in between the period of 22.02.2016 and 08.3.2016 by using fake user ID and password in the computer of Lokesh Patil, made entry of payment of tax with the help of one Rohit Sharma thereby Rs.16,89,100/- was shown to be deposited but actual amount was not deposited and such offence was committed.

3. Learned counsel for the applicant submits that the report has been made by one Lokesh Patil, who is working in the office of the RTO and in order to pass over the allegation, though the amount was received by Lokesh Patil, name of the applicant has been implicated. Learned counsel submits that the applicant has not committed any offence and he has been falsely implicate in the crime. He prays that the applicant may be extended the benefit of bail under Section 438 Cr.P.C.

4. Per contra, learned counsel for the State opposes the prayer for grant of bail.

5. Perused the case diary. As per the case diary, report was made by Lokesh Patil that the applicant has used password of Lokesh patil for making entry of payment of tax which was alleged to be made by Lokesh Patil and on being investigated, the applicant has admitted his role that he with the help of one Rohit Sharma, who is working in the Smart Chips as data entry operator has committed the said offence. Considering the allegation, I am not inclined to extend the benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules

Sd/-
(Goutam Bhaduri)
JUDGE