

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3557 of 2016

Dinesh Pratap Singh, Aged About 46 Years, S/o Mr. Nagendra Singh, R/o Village Khurha, Post Raghuraj Ganj, Tehsil Raipurkarchuliyani, P.S. Mangwa, District Reewa, Madhya Pradesh. Present Address Rajiv Nagar, Checkmate Security Guard Office, Pnadari, P.S. Mowa Pandari, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Civil Line, Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Raza Ali, Advocate.
For Respondent/State – Shri Sumit Jhanwar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 307/16 registered in Police Station Civil Line, Raipur (C.G.) for offence punishable under sections 457, 380, 511, 427/34 of Indian Penal Code.
2. As per the prosecution case in between the intervening night of 28-29/05/2016 the ATM machine of Mahindra Kotak Bank was damaged and the effort was made to take out the cash. Subsequently, when CCTV footage was checked, it was found that the present applicant who was security guard and one peon Lokendra were seen coming out of the bank and Lokendra was seen entering into ATM and was damaging the same.
3. Learned counsel for the applicant submits that the entire allegations have been attributed to Lokendra and since he was peon he was entitled to enter into ATM. He submits that the applicant was not seen entering into the ATM and also one of the co-accused has been enlarged on bail by the

trial court on the ground that he has not been spotted in the CCTV footage, therefore the applicant may be released on bail.

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

5. Perused the statement of Manager, Tarun Chabariya wherein main allegation of damaging the ATM is on Lokendra. It is stated that he was seen entering into the ATM. Considering the same, without any observation on merits, 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