

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5239 of 2016**

Rajesh Kumar Agrawal S/o Late Purushottam Lal Agrawal, Aged About 40 Years, R/o H I G - 1/ 2201, M.P.H.B. Colony, Industrial Area, Bhilai, Police Station Jamul, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Durg, District Durg, Chhattisgarh.

---- Respondent

For applicant - Shri Goutam Khetrapal, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****7/09/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.231/2016 registered in Police Station Durg, District Durg (C.G.) for offence punishable under sections 420, 467, 468, 471, 34 read with Section 66(B), 66(D) of Information of Technology Act.
2. As per the prosecution case, one Lokesh Kumar Patil working in RTO made a report that in between 29/02/2016 to 8/03/2016 RTO tax of 50 vehicles was paid by using his computer ID which he could discover on 9/03/2016 and on enquiry it was found that Rajesh Agrawal, RTO agent and Rohit Sharma data entry operator of Smart Chip Pvt. Ltd. alongwith other co-accused has committed such offence and forged entry was made by using the ID of Lokesh Kumar Patil.
3. Learned counsel for the applicant submits that as per questionnaire form which was obtained during investigation it would reveal that the applicant has not committed any offence as it is not possible and probable to get password of some RTO officer and every entry being made and

every amount was to be verified by the RTO Officer. Therefore, RTO officer the applicant have been made the scapegoat. He further submits that it was duty of the RTO officer to tally amount and deposit the same in the treasury on the same date and the entire allegation have been attributed against the applicant. Therefore, he submits that the applicant may be released on bail.

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

5. Perused the case diary document as also memorandum statement of Rohit Sharma which shows that the applicant disclosed the ID of Lokesh Patil and got fake entry of payment of tax. Considering the documents collected on the memorandum of the other co-accused, considering the role played by the applicant who appears to have taken lead in act of commission and also taking into gravity of allegation, the way the offence is committed in organized manner, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE