

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 654 of 2017

Roshan Borikar, S/o. Arun Borikar, Aged About 26 Years, R/o. Near Sahu Kirana Store, Om Nagar Urla, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.244/2016 registered at Police Station- Pulgaon, District Durg (C.G.) for the offence punishable under Sections 408, 420, 467, 468, 471, 381, 120-B of Indian Penal Code.
2. As per the prosecution case, on a report made by P.B. Deshmukh, Director of Shankaracharya Technical Campus, Bhilai, that one Sagar Borker who was working as an Accountant and Data Entry Operator had withdrawn an amount of Rs.95,82,275/- at different points of time and deposited the same in different accounts of his relatives and friends (total 110 persons) and withdrew the same with their help and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant submits that in the account of the applicant Rs.59,400/- was deposited twice and the applicant

was not a party to the conspiracy and the main allegations have been attributed to Sagar Borker. He further submits that the similarly placed co-accused has been enlarged on bail by this Court on 07.11.2016 in MCRC No. 6888 of 2016, therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and further considering the fact that the similarly placed co-accused has been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge