

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 473 of 2017

Rohit Sharma S/o Vishwanath Sharma Aged About 24 Years R/o
Ward No. 12, Nehru Nagar, Bhilai, Tahsil & District Durg,
Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For applicant - Shri Goutam Khetrapal, Advocate.
For Respondent/State –Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/02/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 19/09/2016 vide M.Cr.C. No. 5578 of 2016.
2. 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 of Indian Penal Code and Section 66(B), 66(D), 66(C) of Information of Technology Act.
3. 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 Agawal, RTO agent and Rohit Sharma data entry operator of Smart Chip Pvt. Ltd. has committed such offence and forged entry was made by using the ID of Lokesh Kumar Patil.

4. Learned counsel for the applicant submits that on the basis of which the earlier bail application was dismissed, he has been examined. He has not stated anything against the present applicant and the entire allegations have been attributed to Rajesh Agrawal, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail and would refer to para 8 of statement of Lokesh Kumar Patil.

6. At this stage, it would not be proper for this court to evaluate entire evidence of Lokesh Kumar Patil. Considering the fact that evidence is being recorded, prima facie considering the statement of witness Lokesh Kumar Patil, I do not find any change of circumstances to re-consider this second bail application.

7. Accordingly, the second bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE