

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5106 of 2017**

- Dilip Kumar Marko, S/o Shri Ramlal Marko, aged 36 years, Occupation-Service, R/o Kelo Bihar, Chakradhar Nagar Raigarh (C.G.) at present R/o village-Sonhat, P.S. & Tehsil-Sonhat, District Koriya (C.G.).

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Sonhat District Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Amiyakant Tiwari, Advocate
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****14/09/2017**

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 on 25-02-2017 in connection with Crime No. 17/2017 registered at Police Station Sonhat, District-Koriya (C.G.) for the offence punishable under Sections 419, 420, 467, 471, 120B, 408, 34 of the I.P.C. and Section 66 (C) (D) of the Information of Technology Act, 2000.
2. As per the case of the prosecution an account of Purshottam was opened and certain amount which was deposited in the said account was withdrawn by using the mobile banking and was transferred to the account of one Ashok Ram and in the account of Ashok Ram photograph of another person was affixed. It is alleged that the present applicant's I.D. was used for providing the mobile banking facility to Purushottam, from whose account the amount

was transferred. It is alleged that the present applicant was working as a cashier in the said Bank who in connivance with the other co-accused has committed such offence and as such amount of Rs.13.5 Lakhs was transferred without the consent of Purushottam, thereby the offence was committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, he had given his I.D. no. in all bona fide, which was misused by some other person and only on the basis of oral evidence of the Bank Manager, he has been inculpated and the applicant is in jail since 25.02.2017. He would further submit that all the evidence have been concluded and the applicant is in service of the Bank, therefore, there is no likelihood that the applicant will flee away, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the bail application.
5. Perused the case-diary, documents and the oral evidence of the Branch Manager. It appears that the charge-sheet has been filed in this case. Considering the same and the fact that all the offences are triable by JMFC and the applicant is in jail since 25.02.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge