

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1423 of 2018

- Devsingh Parmar S/o Shivkumar Parmar Aged About 30 Years R/o- Darwaaza Kansari, P.S.- Lormi, Tehsil- Lormi, Civil And Revenue District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer Of Police Station Lormi, Civil District And Revenue District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Respondent

For the Applicant : Shri Pallav Mishra, Advocate.

For the Respondent/State : Ms. Smita Ghai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20.04.2018

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. 302/2017, registered at Police Station – Lormi, District – Mungeli, (C.G), for the offences under Section 420, 34 of the Indian Penal Code and 66, 67 (ग) of IT Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 11.08.2017. After completion of investigation the charge-sheet has been filed. The case is still pending before the trial Court and trial is likely to take some time for its conclusion, hence, it is prayed that the applicant be released on bail.

3. Learned counsel for the State opposes the bail application and submits that this applicant is the main accused in this case and the allegations are leveled mainly against him, hence, no case is made out for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case this applicant was a Director of Kiosk Centre in village -Lormi, and he obtained ATM cards, and PIN numbers of the persons namely Khelan Bai, Fulchand, and two others unauthorisedly, thereafter, he made use the said ATM cards and withdrew the amount of Rs. 2,50,000/-. On complaint made by the complainants an enquiry was made and the FIR has been lodged against this applicant and other co-accused persons.
6. Considered on the submission and contents of the case diary, the applicant is in detention since quite some time, after filing of the charge-sheet no purpose would be served, if the, applicant is kept in detention, till the completion of the trial, hence, this Court is of the opinion that this is a fit case, where the applicant is entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 /-

(Rajendra Chandra Singh Samant)

Judge