

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2677 of 2018**

Sultan Singh S/o Ram Kishun Singh Aged About 24 Years Occupation-
Labour, R/o Village- Pipaltha, Police Station- Garhi, District- Jind (Haryana),
District : Jind, Haryana.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, P.S.- Balrampur,
District- Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For the Applicant : Shri A.K. Yadav, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.07.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.162 of 2017, registered at Police Station – Balrampur, District Balrampur-Ramanujganj, Chhattisgarh for the offence punishable under Sections 420 and 379 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is a labour class person. After completion of investigation, the charge-sheet has been filed. According to the prosecution case, no case is made out against the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant is a permanent resident of Haryana and if he is released on bail he may not be available for the trial. Further, the evidence against him is also present that he has been identified by the complainant as one of the accused person who was present and exchanged her ATM card and also made use of the same for withdrawal of the money. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, complainant – Sukhmaniya Paikra visited an Automatic Teller Machine for withdrawal of money. As she could not withdraw the money, some unknown persons present there offered help which she accepted. Later on, she found that her ATM card was exchanged. She further discovered that an amount of Rs.5,66,000/- was withdrawn and transferred from the account by the unknown persons. As there is specific evidence of identity of the applicant in the concerned case and it appears that this kind of offence is now becoming rampant and affecting the people at large, I am of the view that the applicant does not deserve to be released on regular bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge