

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 3441 of 2018**

Nanna Vitus @ William S/o Nanna, aged about 39 years, R/o Goyal Apartment, C Block -2, Greater Noida, UP (name wrongly mentioned in order sheet)

---- Applicant**Versus**

State of Chhattisgarh through District Magistrate, Out Post – Rampur, Thana Kotwali, District - Korba, Chhattisgarh

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For Respondent/State	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26/06/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 10.03.2018 in connection with Crime No. 66/2018 registered at Police Station – Kotwali, District Korba (CG) for the offence punishable under Sections 420 & 384 of IPC.

2. The allegation against the present applicant as per the prosecution is that the applicant in connivance with other accused persons is said to have defrauded complainant Smt. Manjula Pandey of rupees twenty lakhs on the pretext of providing some precious gifts but later did not honour their promise. It is a case where the applicant and other accused persons are said to have defrauded the complainant on social media (face book). Thereafter, in the course of friendship, the applicant and other accused persons are said to have offered to arrange

some gifts to the complainant for which she made frequent payments totalling about rupees twenty lakhs and it is only thereafter, she came to know that she was being cheated by the applicant.

3. Counsel for the applicant submits that during the course of investigation, nothing concrete has been recovered by the prosecution so far as the role played by the applicant is concerned. He submits that the mobile number, bank account and other details of the applicant do not relate to the offence having been committed by the applicant. He further submits that whatever allegations have been made by the prosecution are mostly against Charles Warren and prayed for grant of bail to the applicant.

4. State counsel, however, opposing the bail application submits that it is a case where the present applicant is a part of an organized crime which is rampant throughout the country where they befriend new people on face book and other social media. Thereafter, they somehow try to extract money from the persons with whom they become friend on some pretext and this money was used by the accused persons for their personal use and gain. Thus, prayed for rejection of the bail application.

5. Having heard the contentions put forth on either side and on perusal of the record, particularly taking note of the fact that the prosecution has not been able to collect any strong material of the present applicant being involved in the crime except for the memorandum statement and also considering the fact that there is no strong material available in the case diary directly against the present applicant, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is

directed that the present Applicant will be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed subject to the condition that the applicant shall not leave the country without permission of the trial Court and that he would also keep his movements within India informed to the concerned Police Station where the case against the applicant has been registered.

**Sd/-
(P. Sam Koshy)
JUDGE**