

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5215 of 2018

- Gourav Raj S/o Arvind Kumar Singh, Aged About 22 Years, R/o Village Mohajamma, P.S. Mahuva, District Vaishali Bihar, District : Vaishali, Bihar

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jhilmili, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Jitendra Shrivastava, Advocate.

For Non-applicant/State –Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 29-06-2018 in connection with Crime No.11/2018 registered at P.S. - Jhilmili, District Surajpur, Chhattisgarh for the offence under Section 420/34 of the IPC and Section 66-D of IT Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 29-06-2018. Similarly placed co-accused persons Manish Chouhan, Sushil Mishra and Devdutt Shukla have been granted anticipatory bail by this Court. No case is made out against this applicant. Hence, it is prayed that this applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is a part of a racket going on for cheating the innocent unemployed youth by running a fake company for providing services and equipments which in reality does not exist, hence, looking to the evidence present against this applicant, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. The case against this applicant is this, that he was one of the employees/associates/partners of Smart Save Solutions Company. Phone calls were made on behalf of that company to the complainant proposing sell of micro ATM POS machine, for which the complainant was asked to make deposits on various pretext and he made deposit of Rs.1,46,300/- by getting induced by the phone calls so made. When he came to know about the fraud committed he has lodged the FIR. The applicant has been apprehended on the basis of memorandum statement given by the co-accused persons.

6. After considering on entire material present in the case diary, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge