

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 6100 of 2018**

- Vishnu Rai S/o Shri Vidhan Rai Aged About 29 Years Caste- Rajput, Occupation- Agricultrist, R/o- Village- Sagarpur, Post Office, Police Station And Tahsil- Balrampur, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through- In Charge Of Police Chowki, Ganesh Mod. Through- The Station House Officer, Police Station- Balrampur, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

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| For Applicant        | : Shri Shivendu Pandya, Advocate.        |
| For Respondent/State | : Shri Anil Pandey, Government Advocate. |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**25/09/2018**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 89/2018, registered at Police Station Balrampur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 419 & 420/34 of the IPC and Section 66 (D) of the I.T. Act.
2. As per the prosecution story, complainants of the case who were received some amount under Pradhan Mantri Awas Yojna, deposited the same in their bank accounts. It is alleged that present applicant and co-accused Manoj Das who were unknown for complainants came at the home of beneficiaries and took thumb impression of them on money transferring machine and transferred the money from their account to the account of co-accused/absconded Pradeep Sandilya, report has been lodged on 21-04-2018. On the basis of said initial report offence has been registered.
3. Learned counsel appearing on behalf of the Applicant submits that

applicant is innocent and has been falsely implicated in the present case. There is nothing on the record on the basis of which any offence is made out against the applicant. The main accused is Pradeep Sandilya who has absconded. Co-accused Sushil Sarkar and Manoj Das have already granted benefit of bail by this Court vide order dated 06-09-2018 passed in M.Cr.C. No. 5754/2018 & M.Cr.C. No. 5816/2018. Applicant is in custody since 15-05-2018, his case is also same as the other co-accused case. Therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the other co-accused persons have already granted benefit of bail by this Court, main accused is Pradeep Sandilya who is absconded, applicant is in custody since 15-05-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**

**Judge**