

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6335 of 2018**

Pushpraj Singh, S/o. Avdhesh Singh, Aged About 26 Years, R/o. Bigahiya,
Police Station Hadiya, District Allahabad, U.P.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police
Station Baikunthpur, District Korea Chhattisgarh

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

05.10.2018

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.301/2017 registered at Police Station- Baikunthpur, District Korea (C.G.) for the offence punishable under Sections 420, 120-B, 201 of Indian Penal Code and Section 66(ग) of Information Technology Act.
2. As per the prosecution case, the applicant with the help of other co-accused extended help to the other person who were not able to operate the ATM. Thereafter, during such process ATM card used to be changed and subsequently amount were withdrawn on the basis of original ATM card.
3. Learned counsel for the applicant submits that the applicant is in jail since 17.03.2018 and the other similarly placed co-accused Naveen Singh has already been enlarged on bail by this Court on

21.08.2018 in MCRC No.5510 of 2018; therefore, the present applicant may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the other similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the fact that the applicant is in jail since 17.03.2018 and the other similarly placed co-accused has already been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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/-
(Goutam Bhaduri)
Judge