

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6767 of 2018**

Raheem Ansari S/o Samsuddin Ansari Aged About 32 Years R/o Village
Murli Pahadi Near Masjid Thana Margomunda District Devdhar
Jharkhand, District : Deoghar, Jharkhand.

---- Applicant

Versus

The State Of Chhattisgarh Through Police Station Dongargarh District
Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Shri Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**31/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with the Crime No.21/2018 registered at Police Station Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Section 420 of IPC.
3. Case of the prosecution, in brief is that the complainants M. Swarnlata and M. Chilli are the daughter and mother. They are resident of Indira Nagar, Dongargarh. On 16/01/2018 one unknown person phoned in the mobile number of the complainant M. Chilli from mobile number 8777642035 caller told her that he is the Branch Manager of State Bank of India and received secrete information of her ATM for linking her mobile number with Adhar card. Thereafter Rs.1,17,000/- have been withdrawn from the accounts of complainant. From the tower location it was revealed that mobile number 8777642035 was belonging to applicant.
4. Learned counsel for the applicant submits that he is innocent and falsely

implicated in the present case, therefore, he shall be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. He further submits that there is no antecedents against the applicant.
6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 50,000/- each along with one personal bond of Rs. 1,00,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge