

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7546 of 2017

- Vinod Ku Parmar S/o Shivkumar Parmar, Aged About 25 Years R/o Darwaaza Kansari, Police Station Lormi, Tehsil Lormi, Civil And Revenue District Mungeli Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Of Police Station Lormi, Civil District And Revenue District Mungeli Chhattisgarh., Chhattisgarh

---- Respondent

For Applicant : Mr. Pallav Mishra, Advocate.
For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

29/01/2018

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.302/2017, registered at Police Station- Lormi, District – Mungeli (C.G.) for the offence punishable under Section 420, 34 of the Indian Penal Code and Sections 66 & 66(१) of the Information Technology Act (for short 'IT Act').
2. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case. The main allegation against the main co-accused Dev Singh Parmar is that he was in possession of ATM card of different account holders and used the same to withdraw amount of the account holders. No case is made out against this

applicant, hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is clear allegation against this applicant in the statement of witnesses that he was engaged with the main accused in impersonating and withdrawing amount from the account of the beneficiaries of Jan Dhan Yojna, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Complainant Sushil Jaiswal has lodged FIR that main accused Dev Singh Parmar is the Director of the Kiosk Centre from who a number of beneficiaries had taken services to open accounts in Gramin Bank, Khamhi. When mother of complainant had gone to withdraw some amount, she came to know that somebody had withdrawn amount from her account through ATM card. It was stated that main accused Dev Singh Parmar has not handed over ATM card and PIN number and it is alleged that he and his brother jointly misappropriated the amount of account holders.
6. Considered.
7. There is direct allegation against the main accused only and present applicant is neither Director of Kiosk nor directly associated with the said centre.
8. Taking into consideration the nature of the case and evidence that is proposed by the prosecution for proving the charge against the applicant, I am of this view that it is a fit case where the applicant should be enlarged on regular bail.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is

allowed. It is directed that the applicant shall be released on bail on his 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/-
(Rajendra Chandra Singh Samant)
Judge

Nisha