

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. (A) No. 1125 of 2017**

Ajeet Singh, son of Awadhesh Singh, aged about 22 years,
resident of Mopki, Police Station Bhatapara, District Baloda
Bazar-Bhatapara (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through : The Station House Officer, Police
Station Bilha Bilaspur, Civil and Revenue District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Mr. A.D. Kuldeep, Advocate.
For Respondent/State: Mr. Ashish Surana, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/03/2018**

Heard.

(1) The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 332/2017 registered at police station Bilha Bilaspur, Civil & Revenue District Bilaspur for the offences punishable under Sections 417, 420 & 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 1.8.2017 applicant and four other co-accused persons have taken ATM card of the complainant in order to withdraw the amount and, thereafter, by committing fraud an amount of Rs.43,500/- has been withdrawn from his ATM card, and, thereby committed the aforesaid offences.

(3) Learned counsel for the applicant would submit that the applicant is innocent person and has been falsely implicated in the offence in question as there is no evidence available on record to connect the applicant in the crime in question and, therefore, he may be extended the benefit of Section 438 of the Code of Criminal Procedure.

(4) On the other hand, learned counsel for the State would submit that memorandum of co-accused persons namely Uma Shanker and Brajesh has been recorded, which clearly implicate the accused in the crime in question.

(5) Having heard learned counsel appearing for the parties and the manner in which the applicant and other co-accused persons by exchanging the ATM Card, an amount of Rs.43,500/- has been withdrawn fraudulently from the account of applicant and the material available on record, I am not inclined to extend the benefit of anticipatory bail in favour of the applicant. Thus, the application for grant of anticipatory bail is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

