

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8762 of 2018**

Gyanprakash S/o Sntosh Das Manikpuri Aged About 34 Years R/o Village Nagoi, Police Station Takhatpur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Sakri, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Malay Shrivastava, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/11/2018**

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 learned counsel for the State in connection with the Crime No.219/2018 registered at Police Station Sakri, District Bilaspur (C.G.) for the offence punishable under Section 420 of IPC.
3. Case of the prosecution in brief is that complainant Paltan Bhaskar is aged about 70 years old illiterate person, resident of Village Pand. He had deposited Rs. 12 Lakhs in State Bank of India Branch Sakri, which he has got from the sale of his land. At the time of opening of the account applicant had filled all the entries of the form and obtained the signature of the complainant. He had filled his mobile number in the form. After depositing the form, bank had given two cards, one card he kept along with him and another card he gave to the complainant. On 13/07/2018 complainant come to know that the said amount has been withdrawn.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He

further submits that no criminal antecedents against the applicant.

6. Counsel for the applicant further submitted that no ATM has been seized from the applicant, account opening form does not contain the signature of the applicant.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde