

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9169 of 2018**

Vikas Goyal @ Cheenu S/o Late Suresh Goyal Aged About 30 Years  
R/o 322/03, Purani Anaj Mandi, Thana- City Gohana, Tahsil- Gohana,  
District- Sonipat, Haryana., District : Sonipat, Haryana.

---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station- City Kotwali, Bilaspur,  
District- Bilaspur, Chhattisgarh.

---- **Respondent**

|                   |   |                                |
|-------------------|---|--------------------------------|
| For the Applicant | : | Shri S.S. Rajput, Advocate     |
| For the State     | : | Shri S.K. Mishra, Panel Lawyer |

**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****07/12/2018**

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.408/2018, registered at Police Station City Kotwali, District Bilaspur (C.G.) for the offence punishable under Section 420, 34 of IPC.
3. Case of the prosecution, in brief is that on 15/09/2018 complainant Satyanarayan Dewangan received a phone from mobile No. 08789784810. Caller got the secret information regarding ATM from the complainant and Rs. 1,99,979/- have been withdrawn from the account of complainant. During investigation IMEI number was traced of that phone. Later on the same IMEI numbered telephone was seized from the applicant.
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. As per the photocopy of the alleged compromise agreement dated 27/10/2018 brother of the applicant and complainant arrived on

compromise. It has been also mentioned that now complainant doesn't want to any action against the applicant.

7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-  
**(Sharad Kumar Gupta)**  
Judge

Kamde