

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 755 of 2019**

1. Bablu @ Shravan Mahant S/o Rambrij Mahant Aged About 30 Years
R/o Ward No. 02, Junadih, Lailunga, P. S. And Tahsil Lailunga, District
Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
2. Chetan Yadav S/o Jageshwar Yadav Aged About 45 Years R/o
Bhaigudi, P. S. And Tahsil Lailunga, District Raigarh Chhattisgarh,
District : Raigarh, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Kharsiya, District Raigarh Chhattisgarh, District : Raigarh,
Chhattisgarh .

---- Respondent

For the Applicant	:	Shri Manoj Jaiswal, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**18/03/2019**

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.18/2019 registered at Police Station Kharsiya, District Raigarh (C.G.) for the offence punishable under Sections 419, 420, 34 of IPC and under Section 66 (घ) IT Act.
3. Case of the prosecution, in brief is that complainant Bharat Ram Kalar is aged about 60 years. He is resident of village Karpipali. On 05/01/2019 two unknown persons approached to him said that they are making survey of the beneficiaries of Pradhan Mantri Awas Yojna. The complainant shown them Aadhar Card, those persons obtained his thumb impression through thumb morpho machine. Later on he came to know that Rs.1900/- withdrawn from his account. During the investigation complainant identified the applicant No. 2 Chetan Yadav. On the memorandum of applicant No. 1 Bablu @ Shravan Mahant some passbook, some ATM Cards, one thumb morpho machine were seized from him.
4. Learned counsel for the applicants submits that they are innocent and

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

5. On the other hand, counsel for the State opposes the bail application. He further submits that similar another criminal case has been registered against the applicants.
6. 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/- each along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde