

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1409 of 2019

1. Ashish Ranjan S/o Vinod Giri Aged About 27 Years R/o L - 164(1) Vijay Vihar Phase - 2, Delhi., Delhi
2. Sanjay Gupta S/o Krishna Nandan Gupta Aged About 31 Years R/o P - 32, Sharma Colony, Buddh Vihar, Phase - 2 New Delhi., District : New Delhi, Delhi

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Dhamtari, Distict Dhamtari Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ajay Ayachi, Advocate.
For Respondent/State	: Mr. Alok Nigam, GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/03/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with Crime no. 446/2018, registered at Police Station City Kotwali, District Dhamtari (C.G.) for the offence punishable under Sections 419, 420, 120-B, 201/34 of the IPC and Section 66-D of IT Act.
2. In this case there are total 6 accused persons. As per prosecution story, complainant Subhash Chand made a report in police station, wherein, it has been alleged that some insurance policy of him having amount of Rs. 4,72,959/- has been stopped

by the insurance company due to non-payment of installments, thereafter, he received some mobile calls from different numbers, the callers introduced themselves as employees of bank and insurance company and they have told him to deposit the money as a tax amount. The complainant as do the same and deposit Rs. 85,69,054/- in different accounts as instructed by him through NEFT, RTGS and cash. Allegedly, present applicants were also involved in the said crime.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that there is no evidence available on record against the applicants on the basis of which prima facie any offence can be made out against them. He further submits that neither the applicants known to the complainant nor any amount has been deposited in their account. On the same facts of evidence co-accused Shakti Pawar, Rajeev Sharma and Jyojit Sarkar granted benefit of bail by this Court vide order dated 26.02.2019, the applicants are in custody since 27.10.2018 and trial is likely to take some time, therefore, in these circumstances, the applicants may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that co-accused Shakti Pawar, Rajeev Sharma and Jyojit Sarkar granted benefit of bail by this Court vide order dated 26.02.2019, the applicants are in custody since 27.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail applications are allowed.

8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge

Shubham