

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1325 of 2019**

1. Bablu Urf Sharavan Mahant S/o Rambrij Mahant Aged About 30 Years Ward No. 02 Junadih Lailunga, District - Raigarh Chhattisgarh, Taluka Lailunga, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
2. Chetan Yadav S/o Jageshwar Yadav Aged About 45 Years R/o Village Bhainsgadi, Police Station Lailunga, District - Raigarh Chhattisgarh, Taluka Lailunga, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
3. Sanjay Tirkey S/o Sukram Tirkey Aged About 45 Years Ward No. 02 Junadih, Police Station Lailunga, District - Raigarh Chhattisgarh, Taluka Lailunga, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer Kharsiya,
District - Raigarh Chhattisgarh Taluka 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.17/2019 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 on 05/01/2019 some unknown persons approached to complainant Hemlal 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Rs.10,000/- withdrawn from his account.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 one passbook, three ATM Cards, one thumb morpho machine were seized from him. On the memorandum of applicant No. 3 Sanjay Tirkey one CPU, one monitor, one keyboard, one thumb morpho machine were seized from him.

4. Learned counsel for the applicant 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 applicants 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