

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2052 of 2019

- Pradeep Pradhan S/o Mr. Dhiran Kumar Pradhan Aged About 29 Years R/o D-29/01, Mahaveer Vihar Colony, Police Station Kajhawla, Delhi.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station City Kotwali, Dhamtari Chhattisgarh.

---- Respondent

For Applicant : Shri Raza Ali, Advocate

For Respondent/State : Shri DP Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

08/05/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 446/2018, registered at Police Station City Kotwali, District- Dhamtari (C.G.) for the offence punishable under Section 419, 420, 120-B & 201/34 of the IPC and Section 66-D of IT Act.
2. In this case there are total six accused persons. As per prosecution story, complainant of the case namely Subhash Chandra Jain made a report in police station, wherein, it has been alleged that his insurance policy 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 an employee of insurance company and bank, they have told the complainant to deposit additional money as a tax amount and as a process charge. The complainant as do the same and deposited Rs. 85,69,054/- through NEFT, RTGS and cash in different accounts as instructed by him. On the basis of said report, offence has been registered. It is a further case of the prosecution that applicant Pradeep Pradhan was running a call center by the name of Perfect Vision at Delhi, other co-accused persons namely Rajeev Sharma, Ashish Ranjan, Sanjay Gupta, were also working with him. The applicant and the said co-accused persons by using forged ID's taken sim and also on the basis of said forged ID's they have opened bank account. It is further alleged that the other co-accused persons namely Shakti Pawar and Jyojit Sarkar were helping the applicant in the crime in question. Allegation against the applicant is that 50% of the deposited amount was kept by him. On the basis of said background, offence has been registered. The applicant is in custody since 05.12.2018.

3. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. On the basis of evidence collected by the prosecution prima facie no offence can be made out against the present applicant. He further submits that neither the applicant known the complainant nor any amount has been deposited in his account. He further submits that the other co-accused persons namely Shakti Pawar, Rajeev Sharma, Jyojit Sarkar, Ashish Ranjan & Sanjay Gupta have already granted benefit of bail by this Court vide order dated 26.02.2019 & 14.03.2019. The applicant is in custody since 05.12.2018 and trial is likely to take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State

opposes the bail application and submits that there is sufficient evidence available on record on the basis of which involvement of the applicant in the crime in question is prima facie established. Therefore, he may not be released on bail.

5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 05.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 6,00,000/- with two local solvent sureties each of Rs. 3,00,000/- to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge