

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1762 of 2019**

- Arun Kumar S/o Ramesh Saroj Aged About 25 Years R/o Village Nidur, Parsipur, Nidiur Dompur, Sant Ravidas Nagar Uttar Pradesh., Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Simga, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

And**MCRC No. 2039 of 2019**

- Vishal Chanchal S/o Arun Kumar Verma Aged About 25 Years R/o Q. No. 201, Mirchai Badi, Thana Katihar, District Katihar Bihar At Present R/o M-88, Top Floor, Nagda, Uttam Nagar Thana Uttam Nagar, Delhi, District : New Delhi, Delhi

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Anil Gulati, Advocate.
For Non-applicant	: Ms. S. Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.03.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 353/2018 registered at Police Station – Simga, District Baloda Bazar (C.G.) for the offence punishable under Section 420, 417, 419, 120 of the IPC against applicant -Vishal Chanchal and Section 420, 417, 419, 120-B of the IPC against applicant – Arun Kumar.
4. Case of the prosecution, in brief is that some unknown persons induced complainant Dr. Aditya Verma that he will get a gift one laptop and Rs. 5,20,000/- if he deposit some amounts in different accounts. Complainant deposited Rs. 2,54,512/- in different accounts. Thereafter, he neither received gift articles nor his deposited amount. During the investigation it was found that some Anil Pal had given all the documents regarding his saving account No. 2240110010051209 of Ujjivan Small Finance Bank to applicant Vishal Chanchal. Complainant had deposited some amount in this account number.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
7. The complicity of the applicant- Arun Kumar is described in the memorandum of applicant – Vishal Chanchal. As per the certified copy of Additional Sessions Judge, Bhatapara dated 14.03.2019 and 25.02.2019 complainant had submitted that he has no objection in granting bail to these applicants. As per the photocopy of affidavit of complainant which is part of both the petitions, he has no objection in granting bail to

the applicants and the matter has been compromised between him and applicants.

8. 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 each applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court with the condition that he will 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.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

kishore