NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2321 of 2019

1. Ashish Ranjan S/o Vinod Giri, aged about 27 years R/o L-164 (1) Vijay Vihar Phase-11, Delhi.

2. Sanjay Gupta S/o Krishna Nandan Gupta, aged about 31 years R/o P-32, Sharma Colony, Buddin Vihar Phase-II, New Delhi.

----Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Dhamtari, Distt. Dhamtari (C.G.)

---- Respondent

For Applicants	:	Mr. Ajay Ayachi, Advocate
For Respondent	:	Mr. D.P. Singh, Dy. Advocate General
For Objector	:	Mr. Goutam Khetrapal, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

14/05/2019

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 586/2018 registered at Police Station City Kotwali, Dhamtari (C.G.) for the offence punishable under Sections 419, 420, 120(B) and 201/34 of the IPC and Section 66-D of the I.T. Act.

2. In this case there are total 4 accused persons. Out of which, co-accused Pradeep Pradhan and Rajeev have already been granted bail by the Trial Court itself. As per prosecution story, Complainant Ramkalyan made a report alleging therein that one insurance policy amounting to Rs. 9240/- was taken by him in the year 2010 from TATA AIG. He only deposited one installment of the said policy. In the year 2011, he transferred the said

policy to the Reliance Company. It is alleged that he received some mobile calls from different numbers. The caller introduced themselves as employees of the bank and Insurance Company. They told the Complainant to deposit money as a tax and process fee. The Complainant does the same and deposited Rs. 68,50,029/- in different accounts as instructed through electronic mode. It is a further case of the prosecution that co-accused Pradeep run a call center in Delhi. Both the Applicants were working there. It is alleged that they opened accounts in the name of Deenanath Verma and Deepak and in these forged accounts, the Complainant has deposited amount, which were later on withdrawn by the Applicants and gave to co-accused Pradeep. In lieu of that some commission was to be given to the present Applicant. On this set of back ground, the Applicant have been arrested on 26/10/2018.

3. Learned counsel for the Applicants submits that the Applicants are innocent and have been falsely implicated in the matter. He further submits that there is no evidence available on record on the basis of which, prima-facie it is established that the forged accounts have been opened by the Applicants. It is also not established that the amount deposited by the Complainant has been withdrawn by the Applicants from those forged accounts. The main accused persons are Pradeep and Rajeev, who have already been granted bail by the trial Court itself. He prays that the Applicants are in custody since 26/10/2018 and trial will take time, therefore, the Applicants may be released on bail.

4. Counsel appearing on behalf of the State and Objector oppose the bail application.

5. I have heard learned counsel for the parties.

6. Considering the entire facts and circumstances of the case, particularly, the evidence collected by the prosecution and that the Applicants are in custody since 26/10/2018 and trial will likely to take time, I am inclined to release the Applicants on bail.

7. Accordingly, the bail application is allowed.

8. It is directed that the Applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 5,00,000/- with two local sureties for the like amount to the satisfaction of the trial Court. Thereafter, they shall appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul