

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4213 of 2019

- Kunal Sinha S/o L.P. Sinha Aged About 29 Years R/o House No. 03, Road No. 24, Sector 06, Bhilai, District Durg Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Azaad Chowk, Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Rohitashv Singh, Advocate
For Respondent/State	: Shri Aman Kesarwani, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/08/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 47/2019 registered at police station Azad Chowk, District Raipur (CG) for the offence punishable under Section 379 IPC.

According to the prosecution case, on 12.02.19 at about 5.00 p.m. when complainant Hemlata Soni and Radha Vishwakarma had gone to the Ujjevan Bank ATM where she withdrew cash of Rs. 25,000/-, at that point of time, one unknown person came there, introduced himself as the employee of the bank took the amount from her for counting and fled away from the spot. After lodging report by

the complainant in the police station, with the help of CCTV footage, applicant has been taken into custody.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the offence as alleged against him is not made out and the the applicant is in jail since 17.02.2019. Lastly, he submits that the trial may take some time for its disposal and therefore he be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge