

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3768 of 2019

1. Ashish Ranjan S/o Vinod Giri Aged About 27 Years R/o L- 164, Vijay Vihar Phase-II, Delhi.
2. Sanjay Gupta S/o Krishna Nandan Gupta aged about 31 Years R/o P- 32, Sharma Colony, Buddh Vihar, Phase -II, New Delhi.

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, City Kotwali Dhamtari, District Dhamtari Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ajay Ayachi, Advocate.
For Respondent/State	: Mr. DP Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

17/06/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with Crime no. 61/2019, registered at Police Station City Kotwali, District Dhamtari (C.G.) for the offence punishable under Sections 419, 420/34 of the IPC and Section 66-D of IT Act.
2. In this case there are total 4 accused persons. As per prosecution story, complainant Shanti L. Netam made a report in police station, wherein, it has been alleged that in the year 2011 one insurance policy has been obtained by him and till 2016 he was deposited premium of the said policy. In the month of August

2017, he received some mobile calls from different numbers, the callers introduced themselves as employees of insurance company and they have told him to deposit the money as a tax amount. The complainant as do the same and deposited Rs. 5,18,050/- through online payment. It is a further case of the prosecution that co-accused Pradeep Pradhan was running a call centre by the name of Perfect Vision in New Delhi and the applicants along with other co-accused person namely Rajeev Sharma were working with him. Allegedly, the applicants along with other co-accused persons, by using forged ID's taken sim and on the basis of that forged ID's they have also opened bank account. It was found that the amount which was taken from the complainant and others was deposited in that forged account. Allegation against the present applicants is that they have called the complainant and others for depositing money. On the basis of said background, offence has been registered.

3. Learned Counsel appearing on behalf of the applicants submits that the applicants are innocent and have 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 applicants. He further submits that neither the applicants known the complainant nor any amount has been deposited in their accounts. He further submits that in this case the main accused are Pradeep Pradhan and Rajeev Sharma who were already granted benefit of bail by this Court vide order dated 08.05.2019 passed in MCRC No. 2168/2019. The applicants are in custody since 07.02.2019 and trial is likely to take some time. Therefore, they 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 applicants in the crime in question is prima facie established. Therefore, they 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 other co-accused persons have already granted benefit of bail by this Court, the applicants are in custody since 07.02.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them 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 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 their appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge