

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3810 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 Kotwali, Rajnandgaon.

---- 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

19/06/2019

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. 199/2019, registered at Police Station Kotwali, District- Rajnandgaon (C.G.) for the offence punishable under Section 420/34 of the IPC and Section 66-D of IT Act.
2. As per prosecution story, complainant of the case namely Rekhraj Singh made a report in police station, wherein, it has been alleged that he obtained five insurance policies in the year 2008-2010, due to non-payment of installments, policies were closed. It is alleged by him that thereafter in the year 2015-2018, he received some mobile calls from different numbers, the callers introduced themselves as an employee of Insurance Company, Bank and Insurance Lokpal Officer, 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. 45,62,415/- through NEFT & RTGS in different accounts as instructed by him. On the basis of said report, offence has been registered. It is further alleged that the applicant was running a call center by the name of Perfect Vision at Delhi, he with the help of other 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 he with the help of other co-accused persons taken money from the complainant. On the basis of said background, offence has been registered. The applicant is in custody since 24.05.2019.

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 incident is of the year 2015-2018 and complaint has been lodged in the year 2019 and the delay is not properly explained. The applicant is in custody since 24.05.2019 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.
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 24.05.2019 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