

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5300 of 2019

- Sunil Nigam S/o Shri S.P. Nigam, Aged About 33 Years, R/o Shashtri Colony Venkat Ward, Katni, Police Station Katni, Tahsil and District Katni Madhya Pradesh., District : Katni, Madhya Pradesh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Bilaspur, District Bilaspur Chhattigarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Mr. Tarendra Kumar Jha and Mr. Ganesh Ram Burman,
Advocates.

For Non-applicant/State – Ms. Akansha Jain, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 17-07-2019 in connection with Crime No.865/2017 registered at P.S. - Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh for the offence under Section 420, 409, 467, 468 & 471 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 17-07-2019. The applicant is ready to abide by all the conditions imposed for grant of bail. Therefore, it is prayed that he may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is sufficient evidence present to make commission of offence by the applicant, therefore, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, this applicant was Personal Banking

Assistant in HDFC Bank, Bilaspur and Umariya. Complainant Alpana Singh opened a fixed deposit account of Rs.20,00,000/- with the help of this applicant and the interest that were accrued on the fixed deposit had to be deposited in her saving bank account according to the agreement with the Bank. When the deposits of interest in the saving bank account stopped, the complainant made complaint to the bank officials and in the initial enquiry made it was found that this applicant by misusing his position as banking official manipulated the documents by changing ID password and mobile number of the complainant and has made withdrawal of Rs.20,00,000/- from her fixed deposits and misappropriated the same. Hence, this case.

6. Considering that the charge sheet has been filed and there is no requirement to keep the applicant in continued detention, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge