

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5530 of 2019**

- Wahid Hussain S/o Shri Badruddin, aged about 27 years, resident of Kerta, permanent resident of Kadampara, Pratappur, District Surguja (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Gandhinagar, District Surguja (C.G.)

---- Respondent

For Applicant	:	Shri Sunil Tripathi, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****05/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.115/2019, registered at Police Station - Gandhinagar, District Surguja (C.G.) for the offence punishable under Sections 120-B, 420, 467, 468 and 471 of IPC.
2. The prosecution story, in brief, is that a report was lodged by the Branch Manager, Canara Bank, Ambikapur alleging therein that one person namely Arvind Beck has opened an incorrect bank account in fake name and impersonated himself as Kamalasai so that the accused Arvind Beck can grab the amount of compensation to be received by Kamalasai in respect of land. During investigation, it was revealed that the Aadhar card has been fabricated by the present applicant by putting a photo of Arvind Beck in the Aadhaar card of Kamalasai in his laptop. On the basis of that fraudulent Aadhar card, a false account was opened by

accused Arvind Beck in the name of Kamalasai. Based on this, offence has been registered. Present applicant has been taken into custody on 08.05.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that it is the accused Arvind Beck who committed fraud and the role of the present applicant is only that he scanned his photo in the aadhar card of Kamalsai. There is no incriminating material against the present applicant. He also submits that the present applicant is in custody since 08.05.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 08.05.2019, and the 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 his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge