

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9252 of 2018

- Mithun Rajwar, S/o Kamdev Rajwar, aged about 23 years, R/o Village Baski, Post- Bamangama, P.S.- Sarath, District- Devdhar, Jharkhand.

---- Applicant

Versus

- State of Chhattisgarh Through – Station House Officer, Police Station- Supela, District- Durg, (C.G.).

---- Respondent

For Applicant	: Shri Shikhar Bakhtiyar, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/01/2019

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. 1087/2017, registered at Police Station- Supela, District- Durg, (C.G.) for the offence punishable under Section 420, 34 of the Indian Penal Code.
2. As per the prosecution story, allegations against the present Applicant is that he personating himself as a employee of the State Bank, obtained A.T.M. number and A/c number of the Complainant Milau Das Janghel and on the basis of the same, withdrawn Rs. 75,000/- from the account of the Complainant. On the basis of the above allegation, report has been made by the Complainant and offence has been registered against the present Applicant. The Applicant has been taken into custody on 13.07.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He

further submits that the offence is triable by JMFC. He also states that charge-sheet has already been filed and the Applicant is in custody since 13.07.2018 and trial will 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 diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has already been filed, offence is triable by JMFC, he is in custody since 13.07.2018 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. 2,00,000/- with two local sureties each of Rs. 1,00,000/- to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge