

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9653 of 2018

- Mohit Sinha S/o Late Domar Sinha Aged About 22 Years R/o Village Dandesara, Police Station Kurud, District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Arjuni, District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Anil Gulati, Advocate
For Non-applicant	: Shri S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 200/2018 registered at Police Station – Police Station Arjuni, District Dhamtari, (C.G.) for the offence punishable under Section 420 r/w 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Tarachand is resident of village Kandel. Applicant and co-accused Kamlesh Sinha and Anuj who were posted in Customer Cere Centre, SBI, Kandel got filled withdrawal form from the complainant. Thereafter, they withdrew Rs. 3,61,992/- from the account of the complainant.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Coaccused Kamlesh Sinha and Anuj have been granted bail by this Court on 24.10.2018 in MCRC No. 6885 of 2018 and MCRC 7163 of 2018 respectively.
7. The case of the applicant is not severe than the said coaccused who have been enlarged on bail.
8. Accordingly, looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE