

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 792 of 2020**

- Sumit Pandey, S/o Late Dileep Pandey, Aged About 30 Years, R/o in front of Vidya Niketan School Chigraj Para, Police Station- Sarkanda, Ghatna Thana- Civil Lines District- Bilaspur (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh, Through- S.H.O., Police Station- Civil Lines, District- Bilaspur (C. G.).

---- Respondent

For Applicant	:	Mr. Anurag Jha, Adv.
For Respondent/State	:	Ms. Sunita Jain, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.08.2020**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 36/2019 registered at Police Station- Civil Lines, District- Bilaspur (C.G.) for the offence punishable under Sections 420, 409, 120B of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to file at an appropriate stage vide order dated 19.11.2019 passed in MCRC No. 4225/2019.
3. The prosecution story, in brief is that, the present applicant was the clerk in the Bilaspur Nagrik Sahkari Bank Ltd., Brahaspati Bajar, Bilaspur. He has committed fraud by making RTGs transactions. Based on this, offence has been registered. Present applicant has been taken into custody

on 25.01.2019.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that other co-accused has been granted bail in MCRC No. 1406/2019 vide order dated 14.03.2019. The applicant is in jail since 25.01.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application submitting that the present applicant is a main accused and he has also transferred an amount of Rs. 4,50,000/-. Therefore, the offence committed by the applicant is of serious in nature, so, it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**