

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 807 of 2020**

- Anjar Khan (Wrongly Mentioned As Ajer In Order sheet) S/o Aslam Khan Aged About 27 Years R/o Mardnanaka, Behind Police Chowki Bandra, Uttar Pradesh, Present Address R/o Talapara, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Aarkshi Kendra Tarbahar, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Raj Kumar Patel, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****17/03/2020**

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.316/2019, registered at Police Station - Tarbahar, Bilaspur (C.G.) for the offence punishable under Sections 420, 467, 468 and 471 IPC.
2. The allegation against the present applicant is that on 31.10.2019, he along with other co-accused person withdrew an amount of Rs.15,000/- from the ATM situated at CMD square after cloning the ATM card of complainant Tomeshwarlal Choudhari and thereby committed cheating. Based on this, offence has been registered. The applicant has been taken into custody on 09.01.2020
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is ready to furnish

adequate surety and shall abide by all the directions and conditions, which may be imposed upon him by this Court. He also submits that the applicant is in custody since 09.01.2020, 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 counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 09.01.2020, charge sheet has been filed and the disposal of case may take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed.
8. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.50,000/- 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, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge