

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1246 of 2020**

- Gaurav Yadav S/o Shri Satyendra Singh Yadav aged about 35 years, R/o 269/2 Plot 98 Sadanand Nagar Post- Harjidar Kanpur. U.P., Uttar Pradesh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Ganj, District Raipur (C.G.)

---- Respondent

For Applicant.	:	Mr. N. Naha Roi, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.08.2020**

1. The applicant has filed this **Second Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 372/2019 registered at Police Station : Ganj, Raipur (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. The first bail application of the applicant was dismissed on 20.12.2019 passed in MCRC No. 7220/2019 by this Hon'ble Court.
3. According to the prosecution story, the complainant who is the Manager of Transaction Solution India Pvt. Ltd. lodged a complaint against unknown persons that the details of amount deposited and withdrawn from Corporation Bank ATM, Station Road Raipur, does not match and there appears to be some technical manipulations with the ATM machine by

which an amount of Rs. 2,500/- and Rs. 10,000/- has been withdrawn from account of Vimal Kumar Yadav by unknown persons. On the basis of that, after completion of investigation, offence has been registered against the applicant and he has been arrested.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, the main allegation is against co-accused Amit Chauha. He next added that the applicant is in jail since 03.10.2019 and due to the pandemic disease COVID -19, there is no possibility of expeditious trial, he ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the detention period of the applicant, and further considering that as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one local 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