

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2297 of 2020**

- Naveen Sharma S/o Shri Mahesh Sharma Aged About 22 Years
R/o- Hatewa Goutam Buddha Nagar Hall Block 366 Sector 122
Noida (UP)

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Police SHO Police Station Jamul,
District Durg, Chhattisgarh

---- Respondent**MCRC No. 1018 of 2020**

- Brijendra Kumar Sharma S/o Shri Surendra Sharma Aged About
29 Years R/o Krishana Nagar, Bichhiya Road, Near Railway Fatak,
P. S. Menpuri, Tahsil And District Menpuri U. P.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Jamul District
Durg Chhattisgarh

---- Respondent**MCRC No. 2280 of 2020**

- Pawan Shrivastava S/o Shri Munna Lala Shrivastava Aged About
20 Years R/o- Baksar Soni Patti Nehru Nagar Bihar Hall 12th
Avenue E 1532 Goutam Buddha Nagar Hall Block 366 Sector 122
Noida (UP)

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Police SHO Police Station Jamul,
District Durg, Chhattisgarh

---- Respondent

For respective applicants	Mr. BP Singh and Mr. AC Sahu, Advocates
For Respondent /State	Mr. Gagan Tiwari, Dy. GA

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra**
Order On Board**13/8/2020**

1. Heard.
2. These are the three applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.309/2019, registered at Police Station Jamul, District Durg (CG) for the offence punishable under Sections 420, 120, 120(B) of the IPC and Sections 66 C and 66 D of the IT Act.
3. Five accused persons are involved in withdrawing an amount of Rs.5,02,000/- from the SBI Bank account of the victim. In the course of investigation, the Police found that the IMEI number of the mobile phone, which was used for committing fraud, belongs to one Sandeep Rai. When he was arrested, he disclosed to the Police in his memorandum statement that applicant Brijendra Kumar Sharma, who is a Software Engineer, has allured them of handsome earning by committing this bank fraud. Thereafter, these applicants joined Sandeep Rai and the absconding accused in committing the fraud by withdrawing

the amount from the Bank Accounts of different victims by hacking their accounts. He has narrated their entire modus operandi, which was used for committing the fraud.

4. Learned counsel for the State would oppose the bail application. He would submit that the applicants are involved in fraudulent hacking of Bank accounts by misuse of technology. However, the case diary does not reveal any other case of similar nature pending against the applicants.
5. Considering that the offences are triable by the Judicial Magistrate First Class; the applicants are in jail since 4.1.2020 and; the charge sheet has already been filed, this Court is inclined to release the applicants on regular bail.
6. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond for a sum of **Rs.5 lakhs with two local sureties each** in the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

Shyna

