

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2664 of 2020**

1. Raj Kumar S/o Prem Singh Aged About 33 Years R/o 394/16 Village Gohana, Police Station Gohana, District Sonipath, Haryana.
2. Tilak Raj S/o Jaswant Aged About 30 Years R/o Village Khairdih, Police Station Kalanor, District Rohtak, Haryana.
3. Rajesh Kumar @ Raja S/o Chatar Singh Aged About 34 Years R/o Asraagarh, District Jind, Haryana.
4. Rajesh S/o Late Chandan Sanshi Aged About 35 Years All R/o Village Dharamkaidi, Police Station Bans, District Hisar, Haryana.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Police Station House Officer Police Kotwali Ambikapur, District Sarguja, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Avinash Chand Sahu, Adv.
For Respondent/State	:	Mr. Anand Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02/06/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 536/2019 registered at Police Station-Kotwali Ambikapur, District-Sarguja (C.G.) for the offence punishable under Sections 420, 34 of the IPC.
2. The prosecution story, in brief is that, complainant lodged a report that on 05.06.2019 and 06.09.2019 some unknown persons have withdrawn amount of Rs. 45,000/- from his account of HDFC bank while using the ATM password of his ATM. During investigation the concerned police station came to know that some persons of street Haryana have organized group for conducting this type of offence. Based on this, offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question.

He further submits that the applicants are in jail since 19.01.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the present applicants is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 19.01.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.
8. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they shall be required to furnish bail bonds within four weeks from today.

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