

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3010 of 2020

- Anzar Khan, S/o. Aslam Khan, Aged about 27 years, R/o. Bharti Nagar, Aakhri Gali, Rail Line Ke Pas, Thana Civil Line, District Bilaspur CG

---- Applicant

Versus

- State Of Chhattisgarh, Through PS Civil Lines, District Bilaspur Chhattisgarh.,

---- Respondent

For Applicant : Shri Amit Kumar, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/08/2020

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 146/2020 registered at police station Civil Lines, district Bilaspur (CG) for the offence punishable under Section 420 IPC.

His first bail application was rejected on merits.

As per prosecution case, applicant and the co-accused have withdrawn Rs. 20,000/- by cloning the ATM card of the complainant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that he has been granted bail by this court in M.Cr.C. Nos. 807/2020 and 810/2020 vide order dated 17.03.2020. He submits that the applicant is in jail since 12.11.2019; charge sheet has been filed and looking to the conduct of

the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge