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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3159 of 2020**

- Obed Kumar Mehar S/o Tikeshwar, Aged About 31 Years
R/o Village And PS Bhasma, District Sundargarh, Oddisha

-----Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station Sarkanda, Bilaspur, District Bilaspur
Chhattisgarh

----- Respondent**MCRC No. 3173 of 2020**

- Obed Kumar Mehar S/o Tikeshwar Aged About 31 Years R/o
Village And P.S. Bhasma, District- Sundargarh, Oddisha.

-----Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station Sarkanda, Bilaspur, District- Bilaspur,
Chhattisgarh.

----- Respondent

For Applicant	:-	Mr. Hariom Rai, Advocate
For Respondent-State	:-	Ms. Fouzia Mirza, Addl.A.G.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**13/08/2020**

1. Since these two bail applications have been filed by the

same applicant/accused, relating to Cr.No.80/2019 & 166/2019 registered at PS Sarkanda, Bilaspur, they are being considered and decided by this common order.

2. The applicant has preferred these applications under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime Nos.80/2019 & 166/2019 registered in Police Station Sarkanda, Bilaspur for the offence punishable under Sections 420, 120(B), 34 of the I.P.C.
3. Case of the prosecution, in brief, is that applicant along with four other accused persons are involved in withdrawing different amounts from the bank accounts of different complainants by using forged cloned ATM cards. In MCRC No.3159/2020, accused persons have withdrawn ₹40,000/- whereas in MCRC No.3173/2020 a sum of ₹80,000/- has been withdrawn from the bank account of the victim.
4. Learned State counsel would submit that a gang is involved in cloning ATM cards to withdraw amounts from the bank accounts of different victims, therefore, considering the nature of offence, applicant is not entitled for bail.
5. Out of 11 crimes registered against the applicant, he has already been released on bail by this Court in 05 crime numbers vide MCRC Nos.3120/2020,3675/2020, 3123/2020, 3695/2020 and 3177/2020.

6. In the present offence, applicant has been arrested on 03.07.2019, although few witnesses have been examined before the trial Court but after outbreak of COVID-19 pandemic, the trial is not progressing.
7. Considering all relevant aspects of the matter, this Court is inclined to release the applicant on bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of **₹1 Lac** with **two local sureties** for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi