

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3176 of 2020**

1. Rajesh Kumar @ Raju S/o Chatar Singh, aged about 24 years, R/o Asrafgarh, P.S. Jind Sadar, District Jind Sadar, Haryana (H.R.)
2. Raj Kumar S/o Prem Singh, aged about 33 years, R/o Gohana, P.S. Gohana, District Sonipath (H.R.)
3. Rajesh S/o Late Chandan Sanshi, aged about 35 years, R/o Village Dharmkaidi, P.S. Bans, District Hisar (H.R.)
4. Tilak Raj S/o Jaswant, aged about 30 years, R/o Village Khairdih, P.S. Kalanor, District Rohtak (H.R.)

---- Applicants

Versus

- State of Chhattisgarh Through Police SHO, Police Station Baikunthpur, District Korea C.G.

---- Respondent

For Applicants.	:	Mr. Vijay Kumar Sahu, Advocate.
For Respondent/State	:	Mr. K.K. Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2020**

1. Registry has pointed out the default.
2. Learned counsel for the applicants submits that he will remove the default within two days.
3. Heard.
4. Admit.
5. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 257/2019 registered at Police Station : Baikunthpur, District Korea (C.G.) for the offence punishable under Section 420/34 of the IPC.

6. The prosecution story in brief is that complainant lodged a report at concerned police station alleging therein that some unknown person have withdrawn amount of Rs. 90,000/- from his account of Central Bank while he was using the ATM Pin. After investigation, the present applicants have been arrested and the offence has been registered against them.
7. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. Referring to Annexure A/2 counsel for the applicant submits that during the pendency of the case, the complainant has settled his dispute with the applicants and they filed application for permission of the Court to compound the above offence. He further submits that the applicants are in jail since 19.01.2020 and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they may be released on bail.
8. On the other hand, State counsel strongly opposes the bail application.
9. I have heard learned counsel for the parties and perused the record.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering 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.
11. Accused/applicants is 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 said Court on each and every date given to them by the said Court.

12. 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 will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge