

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3695 of 2020**

- Obed Kumar Mehar, S/o Tikeshwar, Aged About 31 Years R/o Village And Police Station Bhasma District - Sundergarh (Odisha).

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - City Kotwali, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Amit Kumar, Advocate.
For Respondent/State	: Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**29/06/2020**

1. The matter is heard through video conferencing.
2. First bail application of the applicant was dismissed for want of prosecution vide order dated 12.9.2019 passed in MCRC No. 5228/2019.
3. Second bail application of the applicant was again dismissed for want of prosecution vide order dated 11.02.2020 passed in MCRC No. 468/2020.
4. The applicant has preferred this third bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.540/2018, registered at Police Station -City Kotwali, District - Bilaspur, Chhattisgarh, for the offence punishable under Sections 420, 468, 120-B/34 of IPC.
5. As per the prosecution story, allegation against present applicant is that he with the help of other co-accused persons fraudulently

withdrew amount of Rs. 25,000/- from saving bank account of the complainant through ATM. Report was lodged by the complainant against unknown persons, on the basis of the said, offence has been registered. Applicant was taken into custody on 18.03.2019.

6. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that applicant and complainant have settled their matter and complainant has made her statement in this regard before the Court below. Applicant is in custody since 18.3.2019 and trial is likely to take some time. Therefore, he may be released on bail.
7. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
8. I have heard learned Counsel for the parties.
9. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that applicant and complainant have settled their matter, Applicant is in custody since 18.3.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
10. Accordingly, the bail application is allowed.
11. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge