

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4004 of 2020

Shyamsundar Sahu S/o Haraklal, Aged About 27 Years R/o Village Targawa,
Police Station Patna, Tahsil Baikunthpur, District Koriya Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police
Station Patna, District Koriya Chhattisgarh
---- **Respondent**

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/08/2020

Heard.

1. The applicant has been arrested in connection with Crime No.73 of 2019 registered at Police Station- Patna, District Koriya (CG) for the alleged commission of offence under Section 420 read with Section 34 of the Indian Penal Code and Section 66 of I.T. Act.
2. Case of the prosecution is that the applicant by cheating, got Rs.1,39,899/- transferred from the account of complainant Ramkhilawan to the account of his own and his wife. According to the prosecution, this was an act of cheating.
3. Learned counsel for the applicant submits that the allegation of cheating is false, such transfer was only with the consent and knowledge of the complainant. Complainant's own son is involved in the entire transfer.
4. On the other hand, learned State counsel opposes the prayer and submits that complainant has clearly stated that without his notice and knowledge, by cheating, money was withdrawn from his account and transferred to the account of the applicant and his wife.
5. Taking into consideration the submission of learned counsel for the parties,

particularly taking into consideration the nature of allegation, amount involved and that the investigation is complete and charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, the application is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge