

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4338 of 2020**

- Noorpalal Deep S/o Gulbadan Lal Deep aged about 57 years, R/o Mahima Nagar, Police Station-Shirgitti, Tahsil & District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Officer-in-Charge, Police Station-Civil Line, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjeev Kumar Sahu, Adv.
For Respondent/State	:	Mr. Vikram Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18/08/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 36/2019 registered at Police Station Civil Line, District-Bilaspur (C.G.) for the offence punishable under Sections 420, 409, 120-B, 34 of the IPC and 64-C, 64-D of the I.T. Act.
2. The prosecution story, in brief is that, the applicant along with other co-accused persons has been stolen the password from the Bilaspur Nagrik Sahkari Bank Ltd., Brihaspati Bazar, Bilaspur and fraudulently transferred amount of Rs. 3,25,97,000/- through NIFT and RTGS to the accounts of other co-accused persons. Based on this offence has been registered against the present applicant and other co-accused persons.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the main allegation is against the other co-accused Sumit Pandey who has made the 118 illegal transaction of the said amount in 49 accounts and the present applicant was the passing officer who has passed the

withdrawal form and there is no any transactions in the account of the applicant or his relatives' account. He next submits that the FIR is not in the name of the applicant nor seized the said amount from his account. He also submits that the applicant is in jail since 18.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; the applicant has passed the withdrawal form without verifying the account holder's signature and there is a case of huge amount transaction, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the main allegation is against the Sumit Pandey, applicant is in jail since 18.06.2020, 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 applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**