

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4374 of 2020**

- Paul S/o Pitamber Mehar, aged about 23 years Village and Police Station Bhasma District Sundergarh Oddisha.

---- Applicant

Versus

- State of Chhattisgarh Through- Police Station City Kotwali, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Amit Kumar, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 540/2018 registered at Police Station City Kotwali, District Bilaspur (C.G.) for the offence punishable under Sections 420, 468, 120-B/34 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that he along with co-accused had withdrawn Rs. 25,000/- from the account of complainant by cloning the ATM Card. Based on that, after investigation, offence has been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. Referring

to Annexure A-2 counsel for the applicant further submits that there has been compromise between the parties and the complainant has no objection regarding the bail of the applicant. The applicant is in jail since 18.03.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, affidavit of compromise, as applicant is in jail since 18.03.2019 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. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge