

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4936 of 2020**

- Vinod Gautam S/o Dalchand Gautam, aged about 29 years, R/o Math Mandir, Tilak Ward, near Railway Station, Sivni (M.P.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Takhatpur, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Hemant Kumar Agrawal, Adv.
For Respondent	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/09/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.50/2019 registered at Police Station - Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 420, 34 IPC.
2. The prosecution story, in brief, is that the applicant fraudulently transferred Rs.40,000/- from the account of complainant to the account of other and thereafter withdrew the same through ATM Centre. Based on this, offence has been registered. The present applicant has been taken into custody on 30.03.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He also submits that the applicant is ready to furnish adequate surety and shall abide by all the directions and conditions, which may be imposed by this Hon'ble Court. He further submits that the applicant is in custody since 30.03.2019,

charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 30.03.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge