

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6365 of 2020**

- Khirod Patel S/o Biranchi Patel Aged About 35 Years Occupation Agriculture, Caste - Obc, R/o Village Tanmura, Near Jatra Mandap, Police Station Mahulpali, District Sambalpur Orissa., District : Sambalpur, Orissa

**---- Applicant**

**Versus**

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

**---- Respondent**

|               |   |                            |
|---------------|---|----------------------------|
| For Applicant | : | Mr. Sushil Dubey, Advocate |
| For State     | : | Mrs. Sunita Jain, G.A.     |

**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**14.12.2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail as he is arrested on 30.12.2018 in connection with Crime No. 540/2018 registered in Police Station City Kotwali Bilaspur Chhattisgarh for offence punishable under sections 420, 468 and 120-B/34 of IPC.
2. As per the prosecution case, the applicant along with other co-accused used to withdraw the money from the bank account of different people by cloning ATM and when amount from one Arijit Roy was withdrawn, the matter was reported and subsequently the accused along with others were arrested.
3. Learned counsel for the applicant submits that the applicant is in jail since 30.12.2018 and the other co-accused have already been enlarged on

bail by the Coordinate Bench and as the amount has already been compromised, therefore the applicant may be enlarged on bail.

4. Learned State counsel opposes the argument made by learned counsel for the applicant.

5. Considering the fact that co-accused of the applicants have already been enlarged on bail and the applicant is in jail since 30.12.2018, I am inclined to grant the bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

6. Certified copy as per rules.

Sd/-

**(Goutam Bhaduri)**

**JUDGE**