

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6356 of 2020

- Khirod Patal 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

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Torwa Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Mr. Sushil Dubey, Advocate

For Respondent : Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.12.2020

1. The applicant has preferred this application u/s 439 of Cr.P.C. for grant of bail as he is arrested on 30.12.2018 in connection with Crime No. 496/2018 registered at Police Station Torwa District Bilaspur (C.G.) for offence punishable under sections 420, 468, 120-B/34 of IPC, 1860 along with Section 66C and 66D of Information Technology Act, 2000.
2. As per the prosecution case, the applicant along with other co-accused used to withdraw money from bank account of different people by cloning ATM and when amount from one Arijit Roy was withdrawn, the matter was reported and subsequently the accused along with others were arrested.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 other co-accused has already been enlarged on bail by the Coordinate Bench and as the applicant has already returned the amount of fraud to the complainant, therefore he may be enlarged on bail.

4. Learned State counsel opposes the arguments advanced by learned counsel for the applicant.
5. Considering the fact that the co-accused has already been enlarged on bail and the fact that the applicant is in jail since 30.12.2018, I am inclined to grant 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.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti