

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7470 of 2020**

- Pramod Mandal S/o Khooblal Mandal Aged About 38 Years R/o Ward No. 05, Village Jhilwa, Post Jagdishnagar, P. S. Buthaie, District Devghar, Jharkhand
- Basarat Hussain S/o Lukmaan Miyan Aged About 25 Years R/o Village Jhilwa, Muslim Tola, Post Jagdishnagar, P. S. Buthaie, District Devghar, Jharkhand

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Moudhapara, District Raipur Chhattisgarh

---- Respondent

For Applicants	:	Shri Lukesh Kumar Mishra, Advocate
For State	:	Smt. Hamida Siddiqui, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****10/12/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.83/2020 registered at Police Station – Moudhapara, District – Raipur (C.G.) for alleged commission of offences under Section 420 IPC.
2. Prosecution case is that the applicants created forged ID in the Facebook along with mobile number in order to cheat persons by booking orders from Manju-Mamta restaurant at Raipur. The allegation is that upon operating numbers, Rs.12,991/- was transferred from the account of the complainant.
3. Learned counsel for the applicant would argue that the applicant has not committed any offence. The mobile number is not in the name of the applicants but in the name of co-accused. It is submitted that investigation is complete, charge sheet has been filed and his presence may be secured by imposing appropriate conditions for appearance in the Trial Court.

4. On the other hand, learned State counsel submits that the amount involved is not very high but the manner in which offence has been committed, shows that the applicants, by misusing technology created forged Facebook page representing themselves as agent of Manju – Mamta Restaurant induced people to place orders and in this manner, they got transferred Rs.12,991/- from the account of the complainant.

5. Though the State counsel was enquired about any similar offence registered against the applicants involving such similar fraud, State counsel is not in a position nor is discernible from the case diary. Therefore, at this stage, when the investigation is complete, charge sheet has been filed and considering the total amount involved in cheating, I am inclined to grant bail to the applicants.

6. The application is, accordingly, allowed. Considering that the applicants belong to another State, it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one surety of Rs.50,000/- for the like amount to the satisfaction of the Trial Court on the condition that -

- a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) They shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge