

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8025 of 2019**

1. Anzar Khan S/o Ashlam Khan Aged About 27 Years R/o Bharti Nagar, Aakhari Gali Rail Line Ke Pas, Thana - Civil Line, Distt- Bilaspur Chhattisgarh.
2. Moh. Ekraram S/o Moh. Israil Aged About 26 Years R/o Hathi Badi, Baidhnathpur, Thana Hathi Badi, Distt. Sundargarh Odisha.

---- Applicants

Versus

- The State Of Chhattisgarh Through Police Station Civil Line Distt Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Shri Sameer Singh, Advocate.
For Respondent/State	:	Shri B.L Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.01.2020**

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 734/2019 registered at Police Station : Civil Line, District Bilaspur (C.G.) for the offence punishable under Section 420 of IPC.
2. As per the prosecution case, the allegation against the present applicants is that they have withdrawn fraudulently Rs. 20,000/- by cloning the ATM card of complainant. Based on that offence has been filed and they have been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

further submits that the applicant is in jail since 12.11.2019, the charge sheet has been filed and, therefore, he may be released on bail.

4. On the other hand, State counsel opposes the bail application and submits that co-accused Amit Saha stated in his memorandum statement that present applicants with other accused persons have committed the same crime of ATM cloning many times before therefore, they may not be granted bail.
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, nature and gravity of the crime, detention period of the applicant, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge