

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8263 of 2019**

1. Pramod Mandal, S/o. Kamdev, aged about 29 years;
 2. Kamdev Mandal, S/o. Late Doman Mandal, aged about 58 years,
- Both are R/o. Asana P.S. Palajori, District Devghar (Jharkhand)

---- Applicants**Versus**

State of Chhattisgarh; Through : The P.S. Farasgaon, District Kondagaon (C.G.)

----Non-applicant

For Applicants	: Mr. Dharmesh Shrivastava, Advocate on behalf of Mr. Pravin Kumar Tulsyan, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****04/02/2020**

(1) The accused/applicants have preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 01/2019 registered at police Station Farasgaon, Distt. Kondagaon (C.G.) for the offence punishable under Sections 420 of the Indian Penal Code and Section 66 (B) of Information and Technology Act, 2000.

(2) Case of the prosecution is that applicants have cheated the complainant on telephone as they wanted to know about ATM pin number, bank account number for the purpose of forgery and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the crime in question as there is no evidence on record to connect the applicants with the crime

in question. He further submits that the applicants are in jail since 19.10.2019, charge sheet is yet to be filed but substantial investigation has already been made and trial is likely to take some time for its final disposal and the victim and the applicants have compromised the matter outside the court and, therefore, the applicants are entitled to be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case, further considering the fact the applicants are in detention since 19.10.2019; charge sheet is yet to be filed but substantial investigation has already been made; and the trial is likely to take some time for its final disposal; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(7) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

