

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2032 of 2021

Prem Verma, S/o. Dilip Verma, Aged About 28 Years, R/o. Near Shani Mandir, Balodabazar, Mohan Lal Sahu Bada, Police Station - City Kotwali, Balodabazar, District - Balodabazar Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station - City Kotwali, Balodabazar, District - Balodabazar Chhattisgarh.

---- Respondent

For Applicant : Mr. D. Kushwaha, Advocate

For Respondent : Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

20.07.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.16/2021 registered at Police Station- City Kotwali, Balodabazar, for the offence punishable under Section 420 of Indian Penal Code and under Section 66(C) of the I.T. Act.
2. As per the prosecution case, one Ramesh Kumar lodged a report that from 06.12.2020 to 27.12.2020 an amount of Rs.3,30,000/- was withdrawn by using the Debit Card and he came to know of the fact that the amount has been taken when the EMI cheque was bounced. During the investigation, it was revealed that the present applicant who was the Driver of the complainant used to take out the money by taking photograph of the Card and using the OTP when it was being received at the mobile of the complainant Ramesh. It is stated that Ramesh used to keep his mobile and the Debit/ Credit Card in the Car wherein the applicant was Driver.

3. Learned counsel for the applicant would submit that it is a money transaction, the charge sheet has been filed and the applicant is in jail since 19.02.2021; therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that at the behest of the applicant by using the mobile while it was kept in the Car the transactions were carried out and the incident is stated to be from 06.12.2020 to 27.12.2020.
5. Considering the period for which the transactions were carried out and the fact that the charge sheet has been filed and the applicant is in jail since 19.02.2021, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge