

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2544 of 2021**

- Nnamdi @ Donald, S/o Vincent Chukwunelo, aged about 48 years, R/o Jyoti Apartment, New Sarai, New Delhi.

---- Applicant**Versus**

- State Of Chhattisgarh Through the Station House Officer, Police Station Sarkanda, District Bilaspur (CG)

---- Non-Applicant

For Applicant : Shri Atanu Ghosh, Advocate.

For Non-Applicant : Shri Chandresh Shrivastava, Deputy AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****05/07/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.169/2020 registered in Police Station Sarkanda, District Bilaspur for offence under Section 420/34 of the IPC.
2. The applicant posed himself as a foreign lady and developed friendship with the complainant on Facebook. On his persuasion the complainant was induced to pay different amount in installment, totalling Rs.2,50,500/- in a separate bank account. During investigation, the applicant was arrested and from his possession 2 laptops, 5 mobile sets, 4 key pad mobile, one dongle, one Wifi, pass book, ATM card, cheque

book, driving licence and passenger card of Delhi Metro rail were recovered. Another accused namely, Sonu has already been arrested while 3 accused persons are absconding.

3. Learned State Counsel would oppose the prayer for grant of bail. He would submit that the applicant is a Nigerian citizen, therefore, if released on bail, he will abscond. However, he would also submit that the concerned SHO has not reported any previous antecedents of the applicant.
4. Considering that the offence is triable by the Judicial Magistrate 1st Class and the applicant is in jail since 20.12.2020 i.e. little more than 6 months, I am inclined to release the applicant on bail on the following conditions:-
 - The Applicant shall execute a personal bond for a sum of Rs.1 lakh with one **local** surety for the like amount to the satisfaction of the trial Court,
 - The applicant shall appear before the trial Court on each and every date given by the said Court,
 - The applicant shall surrender his passport and all international travel document before the concerned SHO,
 - The applicant shall not leave India without the previous permission of the trial Court.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice