

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through video conferencing****MCRC No. 3204 of 2021**

1. Virendra Yadav S/o Chandrabali Yadav Aged About 34 Years
Resident of Kothpali, Police Station And Tahsil Balrampur District
Balrampur Ramanujganj Chhattisgarh.
2. Ramratu Nagesiya S/o Maghe Nagesiya Aged About 44 Years
Resident of Kothpali, Police Station And Tahsil Balrampur District
Balrampur Ramanujganj Chhattisgarh.

---- Applicants**Versus**

1. State of Chhattisgarh Through Station House Officer Balrampur
District Balrampur Ramanujganj Chhattisgarh., District :
Balrampur, Chhattisgarh

---- Respondent

For Applicants	-	Shri Sunil Tripathi, Advocate.
For Respondent/State	-	Shri Arjit Tiwari, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice
Order On Board

25-06-2021

1. Heard.
2. Although the matter is posted for default, however, learned counsel for the applicants submits that the default has already been removed.
3. Learned State counsel informed that case diary is available. In this view of the matter, I proceed to decide the bail application on merits.

4. This is the second bail application. The first bail application of the both the applicants were dismissed with liberty to revive the prayer after sometime on 28-01-2021 in MCRC No.7795/2020 and MCRC No.290/2021.
5. The applicants have preferred this bail application under Section 439 of the Cr.P.C., as they are arrested in connection with Crime No.200/2019 registered at Police Station- Station House Officer, Balrampur, District- Balrampur, Ramanujganj (C.G.), for the offence punishable under Sections 379, 420/34 of the Indian Penal Code.
6. The applicants had illegally and fraudulently withdraw sum of Rs. 4,65,000/- from the bank account of the complainant by committing theft of her ATM card.
7. Learned counsel for the applicants submits that applicants have already paid a sum of Rs. 3,10,000/- to the complainant.
8. Learned State counsel would oppose the bail application of the applicants.
9. Considering the entire facts situation of the case and particularly for the reason that the applicant No.1 is in jail since 13-10-2020 and applicant No.2 from 01-12-2020 and the offences are triable by Judicial Magistrate First Class (JMFC), I am inclined to release both the applicants on bail.
10. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice