

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3433 of 2021

Nirbhay Pratap S/o Bhagwandih Aged About 30 Years R/o Village Hathigaon, Police Station Maharajpur, District Kanpur Uttar Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Police Station Kotwali, Jagdalpur District Bastar Chhattisgarh.

---- Respondent

For applicant - Shri Pushkar Sinha, Advocate.
For Respondent/State – Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

06/07/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.518/2020 registered in Police Station Kotwali, Jagdalpur for offence punishable under sections 420, 120-B/34 of Indian Penal Code, Section 66 of I.T. Act 2000.
2. As per the prosecution case, the applicant in connivance with others used to withdraw the amount from the ATM and immediately they used to put certain error to show that the money has not been taken out. Eventually on that basis the money was again been transferred from the bank to their account and in the process Rs.1 crore 8 lakhs were withdrawn at different point of time. The FIR was lodged by the SBI Manager, Jagdalpur and it came to fore.
3. Learned counsel for the applicant submits that the charge sheet has been filed, no custodial interrogation is required and the FIR is against the unknown persons, therefore there is no virtual evidence against him, trial may take some time, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that another accused who is master mind is still absconding.

5. Having considered the fact that one of the accused is still absconding and the way the offence is committed whereby the public money was taken away, I am not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE