

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through video conferencing****MCRC No. 4449 of 2021**

1. Somraj Thapa Alias Suraj Thapa S/o Shri Sharm Lal Thapa Aged About 37 Years, Occupation- Private Job, R/o - B-1, Plot No.3, Bharat Vihar, Uttam Nagar, West Delhi, District- Delhi.

---- Applicant**Versus**

1. State of Chhattisgarh Through The Station House Officer, Police Station- Bodhghat, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant - Shri Qasim Ali, Advocate.
For Respondent/State - Shri Vikram Sharma, Dy. Government Advocate.

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

25-08-2021

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.250/2020, registered at Police Station – Bodhghat, District – Bastar (C.G.) for the offence punishable under Sections 420, 120 B of the Indian Penal Code read with Section 66 D of the Information Technology (Amendment) Act, 2008.
3. The applicant has been arrested on the basis of memorandum statement of co-accused Raju Hitang. As per allegation, a sum of Rs.27,75,700/- was online transferred by the complainant Sardar Darbara Singh during the period 22-6-2020 to 20-7-2020, after being

acquainted with one lady Sonita Jack Paul through facebook and thereafter developing contact through mobile conversation.

4. Learned counsel for the applicant submits that the present applicant is not named in the F.I.R.; he is not a beneficiary as the amount has not been transferred in any account belonging to him and further that he is in jail since 30-01-2021.
5. Learned State counsel submits that the applicant has been arrested on the basis of statement of co-accused and his involvement in the entire fraudulent operation emerges from the material available in the case diary.
2. Considering that the offences are triable by Judicial Magistrate First Class and the applicant is in jail since 30-01-2021 i.e. for about seven months, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice

Amardeep