

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6790 of 2020

Rohit Kumar Tiwari S/o Late Shri Krishna Kumar Tiwari (Late Shri K.K. Tiwari) Aged About 60 Years R/o Ward No. 9, Simga, Police Station Simga, District Balodabazar Bhathapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Simga, District Balodabazar Bhathapara Chhattisgarh.

---- Respondent

For applicant - Shri Rishi Rahul Soni and Shri Shakir Uddin Qureshi, Advocates.

For Respondent/State—Smt. Richa Shukla, Dy.G.A.

For complainant- Shri S.P. Sahu, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

04/01/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.362/2018 registered in Police Station Simga, District Balodabazar-Bhathapara (C.G.) for offence punishable under sections 406, 384, 34 of I.P.C.
2. As per the prosecution case, report was lodged by one Asha Sharma as she was handicapped to certain extent, therefore by obtaining thumb impression with the connivance of the bank officer the applicant withdrew huge amount of Rs.24 lakhs from the saving bank account of the complainant.
3. Learned counsel for the applicant submits that the incident was in between April to May, 2018 and the report was made in October, 2018. He submits that charge sheet has been filed, therefore the applicant may be released on bail.
4. Learned State counsel and counsel for the complainant opposes

the prayer for grant of bail and would submit that the complainant was handicapped and taking advantage of the same, the applicant has withdrew the amount and has misappropriated the same when authority was given which was subsequently revealed when the bank pass book was obtained.

5. Perused the report and the statement of the complainant. At this stage, I am not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed. However, the applicant would be at liberty to repeat the bail application after examination of the complainant before the court below.

Sd/-

(Goutam Bhaduri)

JUDGE