

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7178 of 2021**

1. Afsar Khan S/o Mobinuddin Khan (Wrongly Mentined Moh. Momin In Cause Title Of Impugned Order) Aged About 22 Years R/o Tilouri, P.S. Lalganj, District Pratapgadh (U.P.).
2. Mohammad Irfan S/o Mohammad Musid Aged About 35 Years R/o Tilouri, P.S. Lalgang, District Pratapgadh (U.P.).
3. Najim Ali S/o Samund Khan Aged About 35 Years R/o Tilouri, District Pratapgadh (U.P.).

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sahaspur, Lohara, District Kabirdham Chhattisgarh.

---- Respondent**and****MCRC No. 6909 of 2021**

- Milan Navrange S/o Jagesar Navrange Aged About 38 Years R/o Village Mopka, P. S. And Tahsil Bhatapara District Balodabazar Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh Through P. S. Sahaspur, Lohara District- Kabirdham Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Akhtar Hussain and Mr. B.L. Dembra, Adv.
For Respondent	:	Mr. Ravi Maheshwari, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****1.11.2021**

1. As both the MCRCs arise out the same Crime No. i.e. 175/2021, they are heard and disposed of together by this common order.
2. The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 175/2021 registered at Police Station - Saraspur, Lohara, District Kabirdham (C.G.) for the offence punishable

under Sections 420, 419, 379, 467, 468, 471, 120(B), 34 of the IPC and Sections 66, 66(C) & 66(D) of I.T. Act in MCRC No. 7178/2021 and Sections 420, 379, 467, 468, 471, 120(B), 34 of the IPC in MCRC No. 6909/2021.

3. As per the prosecution case the allegation against the present applicants is that the applicants have withdrawn Rs. 22,000/- from the Account of the complainant without information and thus, committed fraud. Based on that, applicants have been arrested and the aforesaid offence have been registered against them.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that applicants are in jail since 06.08.2021 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the applicants may be granted bail.
5. On the other hand, counsel for the State strongly opposes the bail applications.
6. I have heard learned counsel for the parties.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail applications are allowed.
8. Accused/applicants in MCRC No. 7178/2021 are directed to be released on bail on their executing a personal bond in the sum of Rs. 1,00,000/- each, with two local sureties in the like sum to the satisfaction of the trial Court.
9. Accused/applicant in MCRC No. 6909/2021 is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- with two sureties in the like sum to the satisfaction of the trial Court. All the accused/applicants are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-

(Rajani Dubey)
Judge

V/-