

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6363 of 2021**

Shyam Kumar Das S/o Shri Anand Das Aged About 26 Years R/o Kola
Kushma K. G. Aashram P. S. Saraydhela District Dhanbaad Jharkhand
Mob. 6200036830

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station
Amanaka, District Raipur CG

---- Non-applicant

MCRC No. 6389 of 2021

Satish Das S/o Shri Dakkhin Das Aged About 40 Years Address Village
Mohilidih, Narayanpur , District Jamtada Jharkhand.

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station
Amanaka, District Raipur CG

---- Non-applicant

MCRC No. 7441 of 2021

Kundan Das S/o Shri Bhola Das Aged About 21 Years Address Kola
Kushma, Bhenjladih Harijan Basti, Amaghata, Dhanbad, K.G. Ashram
(Jharkhand) 828109

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station
Amanaka, District Raipur CG

----Non-applicant

For applicants	Mr. Ashish Surana, Adv.
For non-applicant/State	Mr. Sameer Uraon, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****23-11-2021**

1. Since above bail applications arise out of the same crime number of same police station, they are being heard and disposed of by this common order.

2. As per applicants, these are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no bail application is pending before any other court.

3. The applicants have been arrested in connection with Crime No. 123/2021 registered in police station Amanaka, Distt. Raipur, (CG) for offence punishable under Section 420 and 34 of Indian Penal Code, Section 66C and 66D of the Information and Technology Act, 2000.

4. Brief facts of the case are that applicants are involved in committing online fraud by colluding with each other. It is alleged that they induced father of the complainant on telephonic call to tell his account details and thereby withdrew about Rs. 20 lacs in 50 to 60 transactions from bank

account of father of complainant.

5. Learned counsel for the applicants argued that the applicants have been falsely implicated in this case. They have not played any role in present crime. He next argued that as per case of the prosecution, applicant Kundan Das and Shyam Kumar Das are facilitators of Satish Das. Role of these applicants are very nominal. They are in jail since 23-6-2021, charge sheet has been filed. Hence, applicants may be released on bail.

6. On the other hand, the learned State Counsel opposed the bail applications and submitted that applicants colluded with other accused persons, who have not been arrested yet, and induced victim to tell his account details, thereafter they withdrew about Rs. 20 lacs through 50 to 60 transactions from his account and transferred it to two major accounts and then transferred to various accounts through small transactions. Although charge sheet has been filed, but still investigation is going on. He next argued that applicants are permanent residents of Jharkhand state from where such type of criminal activities are frequently done. Therefore, the applications filed by the applicants are liable to be rejected.

7. I have heard counsel for both the parties and perused the case diary and the material available on record.

8. Considering the facts and circumstances of the case, nature and gravity of offence, also taking into consideration that it is a case of transfer of money through bank by method of online fraud, the manner in which crime has been committed, I do not feel inclined to grant bail to the applicants.

9. Consequently, bail applications are rejected.

Sd/-
(N.K. Chandravanshi)
Judge