

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.8132 of 2020

Dilip Kumar Marco S/o Jhamlal Marco Aged About 39 Years R/o Kelo Vihar,
Panjari Plant, Chakradhar Nagar, District Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Sonhat,
District Koriya, Chhattisgarh

---- Respondent

For Applicant	:	Shri Kumaresh Tiwari, Advocate appears under instruction from Mr. Ashish Gupta, Advocate
For Respondent/State	:	Shri Amit Verma, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/02/2021

Heard.

1. The applicant has been arrested in connection with Crime No.120 of 2019 registered at Police Station-Sonhat Koriya, District Koriya (CG) for the alleged commission of offence under Section 420 of IPC.
2. Prosecution case is that the applicant illegally got Rs.30,000/- transferred from the account of Dashmat Gond by committing fraud.
3. Learned counsel for the applicant would submit that the allegation are false and fabricated and by mistake, certain amount was transferred from one account to the other. It is submitted that the investigation is complete, charge-sheet has been filed and therefore, at this stage, the applicant may be granted bail as the applicant is not likely to abscond or tamper with the prosecution witnesses.
4. On the other hand, learned counsel for the State opposes the prayer and submits that the prosecution case is made out because there is specific allegation of transfer of Rs.30,000/- from the account of one Dashrath Gond and the applicant was the beneficiary.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation and amount involved and that the investigation is complete, charge-sheet has been filed and that the applicant is in jail since 03.10.2020, the bail application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge