

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8523 of 2020**

- Bholu Kumar S/o Laxman Ram Aged About 28 Years R/o Pratapur, Belchampa Ward No. 06, Police Station Tehsil And District Garhwa (Jharkhand), District : Garhwa *, Jharkhand

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kharsiya, District Raigarh Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. Manoj Kumar Jaiswal, Advocate
Mr. Alok Nigam, Government
Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****17/3/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.393/2018 registered at Police Station Kharsiya, Civil and Revenue District Raigarh (CG) for the offence punishable under Sections 420 & 204 of the IPC.
3. The applicant has withdrawn Rs.25,000/- and Rs.20,000/- in two

attempts from the Bank Account of the complainant by fraudulently using his ATM card. The complainant had attempted to withdraw some amount on 11.12.2017 but he was unsuccessful. When he tried to withdraw some amount on the next day, he was successful in withdrawing Rs.40,000/- but at the same time also got to know that the above two portions of amount i.e. Rs.25,000/- + Rs.20,000/- have been fraudulently withdrawn from his account. The present applicant has been arrested on 9.11.2019 and since thereafter, he is in jail.

4. Therefore, considering that the offence is triable by the Judicial Magistrate First Class and the charge sheet has already been filed, this Court is inclined to release the applicant on regular bail.
5. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.1 lakh with two local sureties in 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.
6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge