

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

**First Bail Application No.1956 of 2022**

Vikram Limbu

...Applicant

Versus

State of Uttarakhand

...Respondent

Present:-

Mr. Karan Singh Dugtal, Advocate for the applicant.

Mr. Ranjan Ghildiyal, A.G.A. for the State.

**Hon'ble Ravindra Maithani, J. (Oral)**

Applicant Vikram Limbu, is in judicial custody, in FIR No. 262 of 2021, under Sections 420, 120B IPC and Section 66-D of the Information Technology Act, 2000, Police Station Mukhani, District Nainital. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the informant came close to a woman on Facebook. The woman gave her whatsapp number to the informant. They started chatting. Making video calls. Thereafter, the informant was cheated and was made to deposit Rs.18,99,688/- in various accounts.

4. Learned counsel for the applicant would submit that the applicant is not a beneficiary of any cheating. No

amount was directly deposited in his account. There is no evidence against him.

5. Learned State counsel would submit that, in fact, various mobile phones, passbooks and ATM cards were recovered from the possession of the co-accused and the applicant. Both were staying in a same room. The applicant has criminal history also.

6. On behalf of the applicant it is also submitted that, in fact, the applicant was a worker with the co-accused Suraj. Whatever was recovered from their room were belongings of co-accused Suraj.

7. It is a case of online fraud and cheating in a systematic and organised manner. Police arrested the co-accused and the applicant from their room. They both were roommates and various articles, which included, 15 ATM cards, 41 passbooks and 73 cheque books were recovered from their room. The money was deposited in the account maintained by the co-accused. But, it is the case that Rs.2,50,000/- were transferred by the co-accused in the account of the applicant.

8. Having considered, this Court is of the view that if released, there is immense chances of repeat offence.

Hence, it is not a case fit for bail. Accordingly, the bail application deserves to be rejected.

9. The bail application is rejected.

(Ravindra Maithani, J.)  
16.03.2023

Jitendra