

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 10960 of 2022**

Munna Kumar Das S/o Shri Kagresh Das Aged About 19 Years R/o Village - Kashideeh, Post - Chandi, Police Station - Kunda, District Devghar (Jharkhand)

**---- Applicant****Versus**

State Of Chhattisgarh Through Officer-In-Charge Of Police Station - Sitapur, District - Sarguja Chhattisgarh

**---- Respondent**


---

For Applicant	-	Shri R.S. Patel, Advocate.
For Respondent/State	-	Shri B.P. Banjare, Dy. Government Advocate.

---

**Hon'ble Justice Shri N.K. Chandravanshi****Order on Board****10-04-2023**

1. The applicant has preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as he has been arrested in connection with Crime No.136/2022, registered at Police Station-Sitapur, District – Sarguja (C.G.) for the offence punishable under Section 420 & 34 of the Indian Penal Code, 1860 & Section 66 D of the Information Technology Act, 2000.
2. Prosecution story, in brief, is that on 08-05-2022, complainant Muneshwar Ram lodged a report that he has an account with State Bank of India, Sitapur branch, in which, one cheque bearing No.635177 amount to Rs.12,62,081/- dated 21-04-2022 pertaining to PWD Sugam Sadak Yojna was deposited. It is further stated that one unknown person claiming himself to be the Head Manager of the bank, made a telephonic call to him and asked for OTP for the purpose of verification of his account which was provided by him. However, when the cheque of Rs.7,53,405/- given by the complainant to one Ravishankar Gupta could not cleared due to insufficient amount in his

account, he enquired from the bank and came to know that the entire amount has been withdrawn from his account through UPI (Net Banking). During investigation, the applicant and other co-accused person were found involved in the instant case and were arrested and Rs. 5,000/- was seized from the possession of the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case. Only on the basis of seizure of Rs.5,000/-, the applicant cannot be inculpated, except that, nothing material has been collected by the police to implicate the applicant in commission of instant crime. He further submits that the applicant is in jail since 18-06-2022, charge sheet has already been filed and there is no criminal antecedent against the applicant, hence, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the bail application filed by the applicant. He further submits that the applicant has actively involved in commission of alleged crime. On being enquired, he would submit that, as per case diary, no criminal antecedent has been shown against the applicant.
5. Considered the submission and perused the case diary.
6. Considering the entire facts situation of the case, particularly considering the detention period of the applicant, charge sheet has already been filed and no criminal antecedent has been shown against the applicant, I feel inclined to release the applicant on bail.
7. Accordingly, the present bail application is allowed. It is directed that if the applicant furnishes one personal bond of Rs.50,000/- and two local sureties for a sum of Rs.50,000/- each to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

SD/-

**(N.K. Chandravanshi)**

Judge

Amardeep