

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3304 of 2015

1. Umashankar Yadav, S/o Kartik Ram Yadav, aged about 21 years, R/o Village Khamharia (Nagri), Police Station & Post Sihava, Civil & Revenue District Dhamtari (C.G.)
2. Yogesh Kumar Gada, S/o Anirudha Gada, aged about 24 years, R/o Village Damkadih, Post Nagri, Police Station Sihava, Civil & Revenue District Dhamtari (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Police Station Mainpur, Civil & Revenue District Gariyaband (C.G.)

---- Non-applicant

For Applicants:	Mr. Kunal Das, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board27/07/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.26/2015 (ST No.254/2015 pending in the Court of Chief Judicial Magistrate, Gariyaband) registered at Police Station Mainpur, Distt. Gariyaband, for the offence punishable under Sections 387, 507, 120B read with Section 34 of the IPC and 66-A of the Information Technology Act, 2000.
2. Case of the prosecution, in brief, is that the applicants and two other co-accused persons have allegedly demanded Rs.1,50,000/- from the complainant and threatened him if amount in question is not given to them, and thereby committed the offence.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicants submits that the applicants have not

committed any offence, they have been falsely implicated in the crime, they are in jail since 20-3-2015, charge sheet has already been filed and the applicants are not having any criminal antecedents. Co-accused Hemant Nirmalkar has been granted bail by this Court vide order dated 8-7-2015 passed in M.Cr.C.No.3153/2015.

5. On the other hand, learned State counsel opposes the application.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants, pre-trial detention of the applicants, the fact that charge-sheet has already been filed and co-accused Hemant Nirmalkar has been granted bail, I am of the view that it is a fit case to grant regular bail to the applicants. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge