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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5107 of 2015**

- Lochan Prasad Rathor, son of Late Shri Lakhan Ram Rathor, aged about 45 years, Caste-Teli, Resident of Ward No. 20, Quarter No.1227, Purana Kanshi Nagar Near Shiv Mandir Korba, Sub-Police Station- Rampur, Tahsil, Civil and Revenue District Korba (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Choki Rampur, Police Station- Korba (C.G.)

---- Non-applicant

For Applicant: Mr. Raj Kumar Jaiswal, Advocate.
For Respondent/State: Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 362/2015 registered at Police Station Chouki Rampur, Police Station – Korba for the offences punishable under Section 384 of the Indian Penal Code and Section 4(A) of Money Lenders Act.

(2) Case of the prosecution, in brief, is that on 3.9.2015 applicant extorted complainant Vikram Singh to make payment of Rs.60,000/-, though the complainant has already paid the amount of Rs. 60,000/-, which he had taken for the purpose of marriage of his daughter by putting him in fear of death.

(3) Learned counsel for the applicant submits that applicant has been falsely implicated in the offence in question as complainant has taken loan of Rs. 60,000/- for his daughter's marriage and when he demanded the said money, complainant did not return the same. He further submits that the applicant is in jail since 09.09.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and no useful purpose would be served in keeping him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that applicant is moneylender and he used to keep ATM cards and pass book of the concerned borrowers.

(5) Taking into consideration the facts & circumstances of the case; further considering his pre-trial detention, role of the present applicant in the offence in question and the substantial investigation has already been made; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

