

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5515 of 2015

1. Ravi Agrawal, S/O. Late Shri Ramesh Agrawal, Aged About 37 Years
2. Smt. Priyanka Agrawal, W/O. Ravi Agrawal, Aged About 36 Years,

Both are R/O. Rishab Residency, House No. 20, New Rajendra Nagar,
Police Station Rajendra Nagar, Tehsil Raipur, Civil and Rev. Distt.
Raipur Chhattisgarh.

----Applicants

Versus

1. State Of Chhattisgarh, Through : Police Station Tikrapara, Raipur,
District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. P.P. Sahu, Advocate
For Respondent/State	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/10/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.214/2015, registered at Police Station – Tikrapara, District Raipur (C.G.) for the offence punishable under Section 384, 120B, 34 of I.P.C.
2. Case of the prosecution, in brief, is that a written complaint was made by one Sanjay Chopra that he developed physical relationship with the applicant No.2, Smt. Priyanka Agrawal, wife of the applicant No.1, Ravi Agrawal and when they were caught red handed, Rs.30.00 Lacs was demanded and money was extorted. On the report of the complainant, a case was registered against the applicants.

3. Learned counsel for the applicants would submit that the charge sheet has been filed and the offence is triable by Judicial Magistrate First Class. He would further submit that both the applicants i.e. the husband and wife are in jail and looking to the fact that they have small children, they may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the offence is triable by Judicial Magistrate First Class and the applicants are in jail since 29.07.2015 and the charge-sheet has been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge