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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1881 of 2016**

1. Yogesh Kumar Sarthi, S/o Heerasingh Saarthi, aged about 24 years, R/o- Village – Belora, Post Office & Police Station- Magarlod, District Dhamtari (C.G.)
2. Devnarayan Sarthi, S/o Ramkumar Sarthi, aged about 26 years, R/o Village- Nari, Post Officer & Police Station – Kurud, District Dhamtari (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh through the Station House Officer,
Police Station- Magarlod, District – Dhamtari (C.G.)

---- Non-applicant

For Applicant: Mr. Shivendu Pandya, Advocate.
For Non-applicant/State: Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/04/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 07/2016 registered at Police Station Magarlod, District Dhamtari (C.G.) for the offence punishable under Sections 386, 507 of the Indian Penal Code and Section 67(A) of the I.T. Act.

(2) Case of the prosecution, in brief, is that applicants demanded Rs. 1,00,000/- by extortion 15 days prior to 3.1.2016 and also obtained Rs. 20,000/- from the complainant and thereby committed the aforesaid offences.

(3) Learned counsel for the applicants submits that the applicants have falsely been implicated in the case as they have not committed any offence. He further submits that applicants are in jail since 8.1.2016 and the charge sheet has already been filed, and therefore, the applicants may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard the counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the facts & circumstances of the case; role of the applicants in the offence in question; pre-trial detention and the fact that charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants – **Yogesh Kumar Sarthi & Devnarayan Sarth** are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

