

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2235 OF 2016**

Anshul Sanpariya son of Shri Jawahar Sanpariya aged about 31 years occupation Business R/o Mohalla Mahamaya Road PS and Tahsil Ambikapur District Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer Police Station Ambikapur District Surguja (C.G.)

---Non-applicant

For Applicant	:	Ms. Hamida Siddiqui, Advocate
For Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/05/2016**

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 applicant who has been arrested in connection with Crime No. 152/2016, registered at Police Station Ambikapur, District Surguja (C.G.), for the offence punishable under Section 386 of the I.P.C.

2. Case of the prosecution, in brief, is that, on

10/03/2016, applicant demanded Rs. 1 Lac from the complainant Sumit Agrawal by way of extortion and threatened to kill his son and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that complainant and accused both are close relative and no such offence is made out against the applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 11/03/2016 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; relationship between the parties; role of the applicant; charge sheet has already been filed and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant 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 applicant shall be released on bail on 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 his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge