

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6126 of 2017

Yugal Kishore Sahu S/o Bholu Ram Sahu, Aged About 28 Years R/o Bhendi,
Police Station Magarlod, District Dhamtari, Chhattisgarh. ---- **Petitioner**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Rajim, District Gariyaband, Chhattisgarh. ---- **Respondent**

For Applicant	:	Shri Raghvendra Pradhan, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

And

MCRC No. 7103 of 2017

Ramakant Sahu S/o Fagman Lal Sahu, Aged About 21 Years R/o Village
Tarighat, Police Station & Post Office Rajim, District Gariyaband,
Chhattisgarh (As Per Charge Sheet), (Wrongly Mentioned The Address Of
The Applicant As The Village Pond, Tahsil Abhanpur & District Raipur In The
Cause Title Of The Rejection Order) ---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Rajim,
District Gariyaband, Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/11/2017

Heard.

1. Both the bail applications are heard together and decided by this common

order, as they are arising out of same crime number.

2. The applicants have been arrested in connection with same Crime No.161 of 2017 registered at Police Station- Rajim, District Gariyaband (C.G.) for the alleged commission of offence under Section 384/34 of IPC.
3. Case of the prosecution is that Ramakant Sahu the main accused and the applicant other accused is involved extortion of Rs.2 lacs from the complainant. According to the prosecution case, applicant and other co-accused threatened the complainant that unless he pays Rs.2 lacs, video recording showing him taking bribe would be made viral on Internet.
4. Learned counsel for the applicant submits that as far as applicant Yugal Kishore Sahu is concerned, he was involved in the alleged commission of offence only on the ground that at the time when Ramakant Sahu met the complainant, the applicant was also there. There is no allegation against the applicant in the FIR and merely because he happened to be along with Ramakant Sahu, it cannot be said that he was also involved in the alleged commission of offence. He further submits that the investigation is complete, charge sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, therefore, he may be granted bail.
5. As far as other applicant Ramakant Sahu is concerned, it is alleged that the applicant threatened the complainant that if he does not pay him Rs.2 lacs, he would disclose a video coverage showing complainant taking bribe.
6. Learned counsel for the applicant Ramakant Sahu would submit that he has been falsely implicated in the alleged case by the complainant, who was involved in bribe taking and threat of the same being disclosed by the applicant. He falsely implicated him with the aid of the police.
7. Learned State counsel would submit that from the statement of the complainant and the raid conducted by the police, the police were caught at the spot and cash of Rs.2 lacs was seized from the possession of Ramakant Sahu.

8. Taking into consideration the submission of learned counsel for the parties, as far as applicant Yugal Kishore Sahu is concerned, I am inclined to grant him bail. Accordingly, the bail application is allowed.
9. It is directed that the applicant – Yugal Kishore Sahu shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

10. Bail application of Ramakant Sahu is rejected with liberty to revive in case of delay in trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge