

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1987 of 2017

- Dushyant Sinha S/o Kiran Kumar Sinha, Aged About 21 Years
By Caste - Kalar, R/o Village- Kokpur, Police Station Kanker,
District- Uttar Bastar- Kanker, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police
Station Kanker, District Kanker, Chhattisgarh. - **Respondent**

For the applicant	:	Mrs. Indira Tripathi, Advocate
For the State	:	Mr. A. S. Kachhawaha, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.06.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.79/2017 registered at P.S. Kanker, Distt. Kanker (C.G) for the offence punishable under Sections 354 & 384 IPC.
2. As per the prosecution case, a report was made by the victim on 27.02.2017 that on 19.10.2016 while she was waiting for a Bus going from Kanker to Raipur, the applicant said that the bus is not available and offered to take her to Makdi. When she went along-with the applicant on motorcycle instead of going to Makdi, she was taken to another place Khamdodgi and they went to a poultry farm wherein her modesty was outraged and the applicant has committed illegal activities. Subsequently, she was subjected to black mail and the applicant said that her photographs were taken and on that basis, Rs.1 lakh was demanded, out of which Rs.80,000/- was given and subsequently again when the amount was demand, report was lodged on 27.02.2017 on

the basis of which the FIR was made 01.03.2017.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and as per the prosecutrix, the money was paid in the presence of one Ajit Kumar Natam who has not supported the case of prosecution, therefore, false allegations have been made. She further submits that the applicant is in jail since 06.03.2017 and prays for releasing the applicant on bail.
4. On the other hand, learned State Counsel opposes the prayer.
5. Perused the case diary and statements of the prosecutrix and Ajit Kumar Netam. It appears that Ajit Kumar has not supported the case of prosecution and there is also delay in filing the report.
6. Considering the statement of prosecutrix and her age as also the statement of Ajit Kumar Netam who has denied the prosecution case and further taking into the delay in filing the report, without any further observation on merits of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**