

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6773 of 2017**

1. Chandraprakash Bande S/o Ramprasad Bande, Aged About 36 Years
Cast Satnami, R/o Navapara Mungeli, Police Station Mungeli, Tahsil &
District Mungeli Chhattisgarh
2. Anojrdas Sonwani, S/o Uderam, Aged About 27 Years R/o Village
Tenduvadih Police Station & Tahsil Pandariya, District Kabirdham
Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station Pandariya, District
Kabirdham Chhattisgarh

---- Respondent

For the Applicants	:	Shri Hemant Kesharwani, Advocate.
For the Respondent/State	:	Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****05.12.2017**

1. At the outset, learned counsel for the applicants seeks permission to withdraw the bail application of applicant No.1 – Chandraprakash Bande with liberty to revive the same after examination of the main witness in this case.

2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to applicant No.2 – Anjoradas Sonwani who has been arrested in connection with Crime No.156 of 2017, registered at Police Station Pandariya, District Kabirdham, Chhattisgarh for the offences punishable under Sections 385, 419 and 420/34 of the Indian Penal Code.

3. Learned counsel for the applicants submits that applicant No.2 is innocent and has been falsely implicated in this case only for the reason that he was the messenger sent by applicant No.1 – Chandraprakash Bande to the complainant to deliver the letter which was used to cheat and extract the money from the complainant. Applicant No.2– Anjordas Sonwani has no knowledge about the contents of the said letter, he is in jail since 13.9.2017 and he is a local resident of P.S. Pandariya, hence, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the main accused applicant No.1 – Chandraprakash Bande impersonated as a police officer and sent a letter threatening the complainant to involve him in the criminal case and then extorted him, the letter was sent through applicant No.2 – Anjordas Sonwani who is actually involved, hence, applicant No.2 is not entitled for grant of regular bail.

5. Heard counsel for both the parties and perused the case diary.

6. The facts of the case are that the letter was delivered by applicant No.2 on behalf of applicant No.1 through the complainant in which it was stated that the complainant had purchased some stolen mobiles due of which he may be sent to jail and a demand was made by applicant No.1 because of which the complainant was compelled to pay Rs.20,000/- to applicant No.1 for not implicating him in any case.

7. Considering the submissions made and the contents of the case diary, looking to the role played by applicant No.2 – Anjordas Sonwani only in assisting the main accused in the commission of offence and that, he is a local resident, I am of the view that after imposing some suitable conditions applicant No.2 – Anjordas Sonwani is entitled for grant of regular bail.

8. Accordingly, the bail application of applicant No.2 – Anjordas Sonwani filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that applicant No.2 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge