

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 623 of 2018**

Umashankar Sahu, S/o Late Derharam Sahu, Aged about 22 years, R/o Village – Pond, Thana Gobra Nawapara, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station – Rajim, District Gariyaband (C.G.)

---- Non-applicant

For Applicant	:	Mr. K.K. Dewangan, Advocate.
For Non-applicant/State	:	Mr. R.N. Pushty, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/03/18**

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.161/2017 registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 384/34 of the Indian Penal Code.
2. Case of the prosecution in brief 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, the 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 inter-net.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence, he has been falsely implicated in crime in

question and other co-accused persons namely, Yugal Kishore Sahu in M.Cr.C. No.6126/2017 and Ramakant Sahu in M.Cr.C. No.7103/2017 involved in this case. The applicant is in custody since 17-08-2017, charge-sheet has already been filed and no useful purpose will be served by detaining him in jail, therefore, he may be released on regular 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 the offence, the case of the applicant is similar to that of Ramakant Sahu, pre-trial detention and the charge-sheet has already been filed, this Court is of the opinion that present is a 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. It is directed that the applicant shall be released on bail on his 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/-
(Sanjay K. Agrawal)
Judge