

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1602 of 2018

1. Karan Rajani And Anr. S/o Makhan Rajani Aged About 22 Years R/o- Aawanti Vihar Kavita Nagar, Near Ashtha School Housing Sewa Board Quarter No. M.I.G. 09, In Front Of Krishna Agrawal House, Raipur P.S. Telibandha District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Deva Rajani S/o Makhan Rajani Aged About 20 Years R/o- Aawanti Vihar Kavita Nagar, Near Ashtha School Housing Sewa Board Quarter No. M.I.G. 09, In Front Of Krishna Agrawal House, Raipur P.S. Telibandha District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Police Station Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Arvind Dubey, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

12/04/2018

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 applicants who have been arrested in connection with Crime No.561/2017 registered at Police Station– Kotwali, District– Durg(C.G.) for the offence punishable under Sections 363, 342, 384, 354(D) & 34 of the Indian Penal Code and Sections 11(iv)(v)/12 & 17 Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. The main

allegation is against Karan Rajani, that he was engaged in extorting the victim and also the statement under Section 164 of CrPC of the prosecutrix discloses, that prosecutrix had been to the house of the applicant on being called by mother of the applicants, hence, it is not a case of abduction or any case of outraging her modesty, hence, no case is made out against these applicants.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the case of prosecution, the main accused Kundan Rajani made friendship with the victim of this case on Facebook and thereafter he met her and obtained some objectionable photographs of her, thereafter, the main accused started blackmailing the prosecutrix with threats to make public and upload her objectionable photographs on the Internet media because of which she was compelled to pay on a number of times amount upto Rs.3 lakhs and she also gave jewelery and mobile sets to the main accused. Firstly, the first FIR was lodged by mother of the victim alleging theft by the main accused. When the main accused was arrested, the victim was called to the house of the applicant and she was placed in confinement by these applicants along with mother of the applicants. Hence, this case.
6. Considered on the entire material present in the case diary, one of the co-accused namely-Geeta Rajani has been granted bail by this Court and both these applicants appear to be similarly placed, hence, for these reasons, I am of this view that this is a fit case where applicants should be released on regular bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha