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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 2207 of 2018**

Kumari Shweta Soni D/o Late Ramkhilawan Soni Aged About 19 Years R/o- D.D. Nagar, Sector-4, Raipur, Permanent R/o- Ward No. 2 Imlibhatha, Mahasamund, Police Station- Mahasamund, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through- Station House Officer, Police Of Police Station- Bhatapara (Sahar), District- Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 2342 of 2018**

Shifa Qureshi D/o Shri Idris Qureshi Aged About 22 Years By Caste- Muslim, R/o- Ekta-Chowk, Imlibhata, P.S.- Mahasamund, Tahsil And Civil And Revenue District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through P.S.- Bhatapara, City, Tahsil And Civil And Revenue District- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh.

**---- Respondent**


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For the Applicants : Shri Anil Gulati and Shri J.A. Lohani,  
Advocates.

For the Respondent/State : Shri Vinod Tekam, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****09.05.2018**

1. Both these applications are being decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants 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.381 of 2017, registered at Police Station

Bhatapara City, District – Balodabazar - Bhatapara, Chhattisgarh for the offence punishable under Sections 384 and 120B readwith Section 34 of the Indian Penal Code.

2. Learned counsel for the applicants submit that applicant – Shweta Soni is in jail since 31.12.2017 and applicant – Shifa Qureshi is in jail since 15.2.2018 and they have been falsely implicated in these cases. These applicants are employee of the main accused – Prakash Jain and had been working according to his instructions. They played no role in the commission of offence as alleged. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that there is sufficient evidence to make out the *prima facie* case against them. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

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

5. According to the prosecution case, complainant – Jitendra Jain met with a female friend in a hotel and had physical relation with her on 5.12.2017. Some unknown persons recorded a video clip of the physical relation between them and later on by sending the video clip in Whats-App to the complainant, the said unknown persons started blackmailing him. On

a demand made by them, the complainant came to the spot at Raipur, Railway Station to deliver Rs.50,000/- to the person named by them. On a complaint given by the complainant, the police assisted to arrange a trap and trapped applicant – Sweta Soni, while receiving money from the complainant. The allegation against applicant – Shifa Qureshi is that she was the person who made a video recording of the physical relation of the complainant with his female friend.

6. Considered the entire material present in the case-diary. The allegation against applicant – Shifa Qureshi is based on only her own memorandum statement and apart from that there is no statement of any other witnesses. Regarding applicant – Shweta Soni she was the person who came to receive the money, but she was the same person who made the demand cannot be made out. On the basis of the material present in the case-diary, I am of the considered view that the applicants deserve to be released on regular bail.

7. It is directed that the applicants in both the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- in respect of each crime 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