

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2594 of 2018**

- Ashish Jaiswal S/o Radhe Shyam Jaisawal Aged About 35 Years R/o House No. 350 (C), Rafti Nagar, Police Station Shahpur, District Gorakhpur U. P., District : Gorakhpur, Uttar Pradesh

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate, Durg / Police Station Supela, District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 2856 of 2018**

- Kakku @ Anupam Singh S/o Shambunath Singh Aged About 33 Years R/o House No. 350(C), Rafti Nagar, Police Station Shahpur, District Gorakhpur U. P., District : Gorakhpur, Uttar Pradesh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate, Durg / Police Station Supela District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicants : Shri Satish Chandra Verma,
Advocates.

For the Respondent/State : Anil S. Pandey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****18.05.2018.**

- Both the applications are heard and decided together by this common, order, as both the bail applications are arising out the same crime number.

2. These are the first bail applications for grant of bail to the applicants who have been arrested in connection with Crime No. 106/2018 registered at Police Station – Supela, District – Durg, (C.G), for the offences under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.
3. Learned counsel for applicants submits that the applicants have been falsely implicated in this case. They are in jail since 14.02.2018. No case is made out against them. There is no incriminating evidence against these applicants. In this case these applicants are arrayed as accused only on the basis of memorandum statement given by the co-accused persons, hence, it is prayed that they may be released on bail.
4. Learned counsel for the State opposes the bail application and submits that the applicants are resident of another State, if they are granted bail their appearance before the trial Court would be affected and that will affect the trial. Further the crime committed in this case has huge magnitude and the present applicants are the part of the huge racket engaged in committing this kind of crime, hence, the applicants are not entitled for grant of bail.
5. Heard counsel for both the parties and perused the case diary.
6. According to the prosecution case the complainant- Manisha Shrivastava was induced by Ramesh Prabhu that he was sending her some gift for the complainant from U.S.A and on arrival of the gift parcel some mobile calls were received by the complainant threatening her that the parcel is contents of gold ring, I.Phones, gold necklace and 12,000/- \$

of worth of Rs. 76,89,000/- is black money, because of which, the complainant is in trouble and to protect her from such trouble, an extortion of Rs.23 lakhs was made from her by compelling her to make deposit in various bank accounts.

7. According to the memorandum statement given by the Prateek Singh @ Shubham Pandey both the applicants had conspired to open the Bank account with the help of fake Id, in which extortion money was deposited. Apart from that, there is seizure of Mobile phones from each of the applicant.
8. Considered on the submissions made, contents of the case diary and looking to the evidence that is proposed against these applicants to prove this case against them, this Court is of the opinion that this is a fit case where these applicants should be released on bail.
9. Consequently, both the applications **M.Cr.C. No. 2594 of 2018** and **M.Cr.C. No. 2856 of 2018** filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each 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