

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3155 of 2018

- Prakash Jain S/o Late Jagat Heera Lal Jain Aged About 38 Years R/o Infront Of Railway Station Khariyar Road, P. S. Jonk, District Nuapada Odisha, District : Nuapada *, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bhatapara (Town), District Balodabazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent -

For Applicant : Mr. Raghvendra Pradhan, Advocate.

For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.381/2017 registered at Police Station- Bhatapara(Town), District – Baloda Bazar-Bhatapara(C.G.) for the offence punishable under Sections 384, 120-B, 34 of the Indian Penal Code and Section 67 of Information Technology Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 15.2.2018. No case is made out against him he has been implicated only on the basis of the memorandum given by the co-accused

persons. The other co-accused persons have been granted regular bail by this Court. Hence, it is prayed that he may also be enlarged on regular bail.

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 prosecution case, a video clip was prepared about the physical relation that had taken place between complainant and his female friend. A said clip was sent to the complainant on his whatsapp and then he was called for the purposes of blackmailing him by some unknown person. Complainant approached the police and with the help of police, co-accused Sweta Soni was trapped while receiving the money from the complainant. During investigation, one co-accused Shifa Qureshi has named this applicant as being mastermind of the said offence.
6. Considered the entire material present in the case diary and looking to the evidence that is proposed against this applicant to prove this case against him, for this reason, I am of this view that applicant should be released on regular bail during the pendency of the trial Court against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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