

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7571 of 2017**

Vashim Bari, S/o. Safiulla Bari, Aged About 40 Years, R/o. Ward No. 13,
Ramanujganj, Police Station : Ramajuganj, District : Balrampur Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through : Police Station -Ramanujganj, District
-Balrampur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State	: Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****30/01/2018**

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 applicant, who has been arrested in connection with Crime No.829/2016, registered at Police Station – Ambikapur, District – Sarguja (C.G.) for the offence punishable under Section 384, 501, 504/34 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is a news correspondence, he is in jail since 28.08.2017, charge-sheet in this case has been filed after completion of investigation and no case is made out against the applicant on the basis of the material in the

charge-sheet. Therefore, it is prayed that applicant be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that there is sufficient evidence against the applicant for his prosecution and he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The allegation against the applicant is this that he approached the complainant on the date of incident as representative of co-accused Abhay Singh and demanded Rs.50,000/- from the complainant by threatening him that if he does not pay the amount, then he will publish defamatory news against him. As the complainant refused to pay the amount, some defamatory news was published in the fortnightly newspaper 'Chhattisgarh Aajtak', because of which, this FIR has been lodged.
6. Considered the submission made and the contents of the case diary. Taking into consideration the facts and circumstances of the case and further taking into consideration the fact that charge-sheet in this case has been filed and the applicant is a local resident of District – Balrampur, his appearance before the Court shall not be compromised, if he is released on bail, 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.

8. It is directed that 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram