

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 3501 of 2018**

Mohd. Arif Khan S/o Anwar Khan Aged About 25 Years Profession Auto Driver R/o- Near Durga Mandir, Gazinagar, Birgaon, P.S.- Khamtarai, Raipur, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station- Azad Chowk,
District- Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri N. Naha Roy, Advocate
For Respondent/State	:	Shri Abhishek Pandey, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****04/07/2018**

The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 280/2018 registered at Police Station Ajad Chowk, Raipur for the offence punishable under Sections 387, 120B, 507, 417 & 201 of the Indian Penal Code, 1860.

(2) Case of the prosecution, in brief, is that applicant threatened the complainant through his mobile number and demanded Rs.40 lakh and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He further submits that applicant is in detention since 22.12.2017 and the charge sheet has already been filed. He further submits that the main accused has already been released on bail by the

Co-ordinate Bench of this Court and, therefore, the applicant may be released on bail on the ground of parity.

(4) On the other hand, learned State counsel opposes the bail application.

(5) I have heard the counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case and further considering the facts that applicant is in detention since 22.12.2017 and the charge sheet has already been filed and the co-accused has already been released on bail; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Present accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(P. Sam Koshy)
Judge**