

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4053 of 2018**

Md. Jilani S/o Md. Shakur , Aged About 42 Years R/o Sant Ravidas Ward,
Bhatapara, District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Bhatapara Town, District
Balodabazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashok Soni, Advocate
For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 381/2017, registered at Police Station- Bhatapara Town, District – Balodabazar – Bhatapara (C.G.) for the offence punishable under Section 384, 120 (B) of the Indian Penal Code and Section 67 of I.T. Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is in jail since 02.01.2018. No case is made out against him on the basis of the material present in the case diary. Similarly placed co-accused persons have been enlarged on bail. Hence, it is prayed that the applicant may also be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. According to the case of the prosecution, it is alleged that the complainant – Jitendra Jain met with a female friend in a hotel and had physical relation, regarding which video recording was made by some unknown person, which was made use of to blackmail the complainant. The police trapped the person, who appeared for receiving ransom money and on interrogation the names of other co-accused persons were disclosed. The allegation against this applicant is that he is the owner of the hotel, where the video clip was prepared.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and also considering this fact that the similarly placed co-accused has been enlarged 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 Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge