

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6798 of 2018**

Dushyant Kumar Sahu, S/o. Shri Biselal Sahu, Aged About 32 Years, R/o. Mathpuraina, Near Water Tank, Raipur, Tahsil and District – Raipur. Presently Resided at Sarsabandha, Rajim, District - Gariyaband, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : The District Magistrate, Durg, Through Station House Officer, Police Station - Mohan Nagar, Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. D. Kushwaha, Advocate
For Respondent	:	Mrs. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****28/09/2018**

1. This is the second 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.388/2017, registered at Police Station- Mohan Nagar, Durg, District – Durg (C.G.) for the offence punishable under Section 376, 384, 506 of Indian Penal Code. The first bail application was dismissed as withdrawn vide order dated 10.04.2018 in M.Cr.C. No.1017/2018 with liberty to revive the same after sometime, if the occasion so arises.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is in jail since 07.09.2017. Charge-sheet has been filed after completion of investigation. Hence, it is prayed that the applicant may 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. The applicant at first increased his intimacy with the prosecutrix and snapped intimate photo and showing the same the applicant continuously threatened and harassed the prosecutrix to submit to him sexually and also extorted from her on the same ground and prosecutrix was compelled to pay him amount of Rs.45,000/-. Subsequent to which, FIR has been lodged in this case.
6. Considered the submissions made and the contents of the case diary. After considering the entire material present in the charge-sheet produced for perusal of the Court and further taking into consideration the evidence i.e. proposed against the applicant for his prosecution, 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