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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6963 of 2018**

Rinky @ Shehnaz W/o Ishhaq Mansoori Aged About 30 Years Caste-Muslim, R/o- Birsinghpur Pali, Basor Mohalla, Umariya, Police Station-Umariya, Tahsil And District- Umariya, Madhya Pradesh., District : Umariya *, Madhya Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- City Kotwali, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent**And****M.Cr.C.(A) No. 1192 Of 2018**

Anuradha Jyoti D/o Late Ramsanjeewan Jyoti Aged About 28 Years R/o Village Kenwtadih Bhutaha Post Office Loharsi Sone Police Station Pachpedi District- Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer Police Station City Kotwali District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Dharmesh Shrivastava, Advocate.
For the Respondent/State	:	Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.11.2018**

Heard.

- Both these applications are being decided by this common order as they arise from the similar incident. M.Cr.C. No. 6963 of 2018 is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 by the applicant for grant of regular bail to her, who has been arrested in connection with Crime No.364 of 2018, registered at Police Station – City

Kotwali, District – Bilaspur, Chhattisgarh for the offences punishable under Sections 384/ 34 of the Indian Penal Code. M.Cr.C.(A) No. 1192 of 2018 is the first bail application under Section 438 of Cr.P.C. filed by the applicant for grant of anticipatory bail, who is apprehending arrest in connection with the aforesaid offence.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. No case is made out against these applicants according to the evidence present in the charge-sheet. Applicant – Rinky @ Shehnaz is in jail since 14.8.2018. The allegations against both the applicants are totally false and baseless. Subsequent to filing of charge-sheet, there is no requirement of arrest or detention of any of the applicant. Hence, for these reasons, the applicants are entitled for grant of regular/ anticipatory bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to FIR lodged by complainant – Sushil Khande, he developed a friendship on mobile phone with applicant – Rinky @ Shehnaz. After developing intimacy, applicant – Rinky @ Shehnaz called the complainant to meet her and when he met her she immediately made a demand of Rs.5,00,000/-, threatening that in case the demand is not fulfilled she will implicate him in any false case. The complainant and his friends arranged Rs.9,000/- and gave it to applicant – Rinky @ Shehnaz. Later on,

it is alleged that applicant – Anuradha Jyoti called the complainant with a proposal that she will get the matter settled in Rs.5,00,000/-. Hence, this case.

6. After considering the material present in the case-diary and the nature of evidence against both the applicants, I am of the view that both the applicants deserve to be released on regular and anticipatory bail.

7. Accordingly, the bail applications filed under Sections 439 and 438 of the Cr.P.C. are allowed.

8. It is directed that applicant – Rinky @ Shehnaz in M.Cr.C. No. 6963 of 2018 shall be released on bail on 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 her appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

9. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of applicant – Anuradha Jyoti in M.Cr.C.(A) No.1192 of 2018 in connection with the aforesaid offence, she shall be released on bail by the Officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. She shall also abide by the following conditions:

- '(i) that the applicant shall make herself available for interrogation before the Investigating Officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.'

Sd/-

(Rajendra Chandra Singh Samant)
Judge