

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2103 of 2019**

1. Jitendra Kumar Chouhan, son of Fagual Chouhan, aged about 20 years.
 2. Sahanshah Chouhan, son of Hemlal Chouhan, aged about 25 years.
- Both are resident of village Chhatadei, P.S. Sarangarh, District Raigarh (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Sariya, District Raigarh (CG).

---- Non-applicant

For Applicants	: Mr. Manoj Kumar Jaiswal, Advocate
For Non-applicant	: Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.04/2019 registered in Police Station Sariya, Civil and Revenue District Raigarh for the offence punishable under Sections 419, 420, 384, 34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that complainant Ram Kumar Patel is working as Doctor. On 03.12.2018, he had received an envelope allegedly sent by Anti Corruption Bureau, New Delhi. On 04.01.2019, the applicants approached to the said complainant and asked that they are employees of Anti Corruption Bureau, New Delhi despite of notice he has not closed his clinic for that they will send him to jail and Rs.10 lacs fine be imposed upon him. They obtained Rs.40,000/- from the complainant by intimidating. Thereafter, on 06.01.2019 the said complainant again received an envelope wherein a notice was present allegedly sent by Station House Officer, Vijay Jalan, Raipur. On 07.01.2019, the applicants again approached to the said complainant and demanded Rs.50,000/-. From the possession of the applicant No.1-Jitendra Kumar Chouhan, some forged papers were seized from him.
4. Counsel for the applicants submitted that the applicants have not committed any offence and have been falsely implicated in the case and as such the applicants may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. However, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicants on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicants. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE