

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3520 of 2019**

Sohan Jain, S/o. Gyanchand Jain, aged about 28 years, R/o. Khandelwal Colony, PS Durg, Tehsil and District Durg, Chhattisgarh (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Police Station Mohannagar, District Durg (C.G.)

----Non-applicant

For Applicant	:	Mr. Priyank Rathi, Advocate.
For Non-applicant	:	Mr. Arun Shukla, Govt. Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****27/05/2019**

(1) 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. 282/2018 registered at Police Station Mohannagar, District Durg (C.G.) for the offence punishable under Sections 384, 386, 506 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that present applicant/accused threatened complainant namely Hemant Sahu, who was a Helper at the house of the applicant, to give 2-3 photos and his Adhaar Card, stating that if the complainant did not do so then he would be unemployed by him. It is further case of the prosecution that accused/application took the photos and Adhaar card of the complainant and after 2-3 months asked him to go to Jalaram Mobile Shop in Station Road, Durg and where at

the behest of applicant, the owner of the mobile shop took the complainant's thumb impression and gave him a Sim card, which the complainant gave to the accused. After some time, the complainant came to know that the accused has provided the said Sim to one Tapan Sarkar, who was serving sentence in the Central Jail, Durg, who was misusing the same by threatening the other people.

(3) Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that applicant is languishing in jail since 04.05.2019 and the charge sheet has already been filed and no useful purpose would be served in keeping him further in jail and therefore, he may be released on bail.

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

(5) Taking into consideration the nature and the gravity of the offences and considering the nature of allegation made against the applicant and the facts that applicant is in jail since 4.5.2019 and charge sheet has already been filed and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) 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.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Vacation Judge

