

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3970 of 2019

- Smt. Durga Vishwakarma, W/o Shri Deepak Vishwakarma, Aged About 31 Years, R/o Q.No. 2/A, Street-13, Sector 2, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through the Police Station, Supela, District Durg Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri Aditya Tiwari, Advocate.

For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 14-05-2019 in connection with Crime No.479/2019 registered at P.S. - Supela, Durg, Chhattisgarh for the offence under Section 249, 506, 384 & 34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. This applicant has not committed any offence of extortion, rest of the offences registered are bailable in nature. The main allegation of extortion is only against co-accused Sanjay Soni. The applicant is a woman and she has one child to take care of. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is equally responsible as the main accused Sanjay Soni is, therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged by Pushpa Singh, she was assisted by this

applicant in obtaining loan from a banking company of Rs.2,00,000/- out of which she was paid only Rs.1,60,000/-. The complainant has made complete repayment of loan and when she asked for return of documents executed by her the applicant has refused making statement that she has to pay further interest. Thereafter, it is alleged that co-accused Sanjay Soni is by putting the complainant under threat making extortion of money from the complainant on pretext of interest of the loan taken by her and he has also threatened the complainant with dire consequences. Hence, this case.

6. After considering on the material present in the case diary and the evidence that is present particularly against this applicant and also for the reason that she is a woman with a young child, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge