

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5784 of 2019

- Rais Siddiqui, S/o Kamruddin Siddiqui, aged about 52 Years, R/o A-403, 404, Shree Ram Heritage, Katora Talab, District-Raipur, Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh through S. H. O. Police Station-Civil Line, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Maneesh Sharma with Ms. Pritha Ghoshal, Advocates.
For Respondent/State	:	Mr. Devendra Pratap Singh, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

15/10/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.449/2019 registered at Police Station–Civil Line, Raipur District– Raipur(C.G.) for the offence punishable under Sections 384, 120-B and 34 of Indian Penal Code (for short 'IPC')
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 4.8.2019. There is no allegation present against the applicant, that he

has done any act of extortion. The only statement available is this, that on one occasion the son of the complainant handed over some money to the applicant, regarding which there is no eyewitness, hence, no case is made out against him. Charge-sheet has been filed, after completion of investigation, therefore, it is prayed that applicant may be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant has fully collaborated and conspired with main accused Firoz Siddiqui for the commission of offence of extortion and he was the person, who has received amount Rs.1.5 crore from the son of the complainant as a result of threat given by co-accused to extort this money. Hence, looking to the gravity of allegation against him, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. On 29.7.2019 FIR has been lodged by complainant Pappu Farishta stating that about one year ago, co-accused Firoz Siddiqui stated that he has in his possession videos and recordings in electronic mode which are connected with political leaders and other influential persons, which he can provide to the complainant so that he can make use of the same to increase popularity of newspaper which was published by the complainant. The complainant agreed and met with co-accused Firoz Siddiqui and had some talks with him and others on telephone. It is alleged that thereafter co-accused stated that he has recorded all the conversation made by the complainant and he will use the same in involving him in a false case and by putting him under threat, the co-accused made an extortion of about Rs.1.90 Crore from

complainant. The complainant has stated that on one occasion he, through his son, made payment of Rs.1.50 Crore to this applicant on the saying of co-accused. As the complainant did not fulfill further demands of extortion, therefore, the co-accused made some videos etc. viral, hence, FIR has been lodged.

6. On perusal of the entire material present in the case diary, there is no such statement made by complainant that this applicant has acted in any manner to extort money except that on one occasion this applicant was paid Rs.1.5 Crores through his son. The transcription of recorded conversation also does not show that this applicant has participated in any of the conversations, therefore, considering on the evidence regarding involvement of this applicant in this case and also that the charge-sheet has been filed, I am inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge