

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9635 of 2018**

Rupesh Kumar Sahu @ Rukesh Sahu S/o late Shri Aauva Ram Sahu Aged About 22 Years R/o Village Tamseoni ,thana Aarang Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant : Shri Sunil Sahu, Advocate.
For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.01.2019**

Heard.

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.364 of 2018, registered at Police Station – City Kotwali, Bilaspur, District – Bilaspur, Chhattisgarh for the offence punishable under Section 384/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 13.8.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Co-accused persons, namely, Rinky @ Shehnaz and Anuradha Jyoti have been granted regular bail by this Court on

27.11.2018 in M.Cr.C. No. 6963 of 2018. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

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

5. Complainant – Sushil Khande has lodged FIR that he developed friendship on mobile phone with co-accused – Rinky @ Shehnaz. After developing intimacy, co-accused – 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 co-accused – Rinky @ Shehnaz. The allegation against this applicant is that he was in company of the main accused at the time of incident.

6. Considered the material present in the case-diary and similarly placed co-accused persons – Rinky @ Shehnaz and Anuradha Jyoti have been granted bail by this Court. Hence, for these reasons, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his 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 his 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge