

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10027 of 2018**

- Durgesh @ Ronit Jaiswal S/o Ashok Jaiswal Aged About 22 Years R/o Pasan, Thana Pasan, Tahsil Podi, Uproda, District Korba Chhattisgarh At Present R/o Bada Bazar, Chirmiri, Thana And Tahsil Chirmiri, District Koriya Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through Police Station Chirmiri, District Koriya Chhattisgarh

---- Respondent

For applicant	Mr. Parag Kotecha, Adv.
For Respondent/State	Mr. Wasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****6-2-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 309/2018 registered in police station Chirmiri, Distt. Koriya (CG) for offence punishable under Section 386, 506B of the IPC.
3. Perused the case diary.
4. Prosecution story in brief is that daughter of complainant is aged about 18 years. Complainant is resident of Chirmiri. On the complaint of complainant, applicant who was conductor in a bus was removed from service by bus owner/manager. The applicant threatened to kill complainant and his daughter by pouring acid, demanded money, and started blackmailing the complainant stating that he will viral the obscene photograph of his daughter. He also threatened to abduct his daughter. Due to fear, complainant gave Rs. 2 lacs to the applicant. Thereafter he demanded Rs. 2,30,000/- more from the complainant.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He submitted that the applicant is in jail since 25-11-2015, offence is triable by Magistrate First Class, there was personal dispute between the parties and no offence is made out under Section 386, IPC. Thus, the applicant may be released on bail.

6. On the other hand, the State Counsel opposed the bail application. However no criminal antecedent of the applicant is reported in the police case diary.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge