

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3110 of 2020**

1. Smt. Aarti Vaishnav W/o Bhupendra Vaishnav, Aged about 32 years, Occupation Journalist,
2. Bhupendra Vaishnav S/o Dwarika Das Vaishnav, Occupation Journalist (Bureau in Chief Anadi T.V.)\

Both are R/o Mahka, Kharsiya, Tahsil and Thana- Kharsiya, District Raigarh (C.G.)

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Thana- Kharsiya, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Deepak Jain, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.
For Objector	:	Mr. Hari Agrawal, Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2020**

1. Registry has pointed out the default.
2. Learned counsel for the applicants submits that he will remove the default within two days.
3. Heard.
4. Admit.
5. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 220/2020 registered at Police Station : Kharsiya, District Raigarh (C.G.) for the offence punishable under Sections 451, 384, 387, 388, 420, 506-B 120-B/34 of the IPC.

6. The prosecution story in brief is that complainant Khilavan Singh Rathore lodged a report against the applicants at concerned police station alleging that they committed extortion on gambling case, rape case and tried to tarnish the image by making false news viral on social media. After investigation, offence has been registered against the applicants and they have been arrested.
7. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that no money has been demanded by the applicants. Applicant Nos. 1 & 2 are in jail since 02.05.2020 & 03.05.2020 respectively, and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they may be released on bail.
8. On the other hand, State counsel as well as counsel for the Objector strongly opposes the bail application.
9. I have heard learned counsel for the parties and perused the record.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering that the applicant Nos. 1 & 2 are in jail since 02.05.2020 & 03.05.2020 respectively and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
11. Accused/applicants is directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said

Court. The applicant shall be released on bail, subject to following conditions:-

- That, the applicants shall furnish a specific, undertaking that while on bail, he will not commit any offence, otherwise bail granted to them shall be liable to be cancelled and shall co-operate the prosecution during trial.
- That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
- That, the accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
- The applicants shall not leave the headquarters without the permission of concerned I.O.

12. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-
(**Rajani Dubey**)
Judge