

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1010 of 2020**

- Sandeep Patre S/o Aashwant Patre Aged About 19 Years R/o Village Gopatpur Police Station City Kotwali, Mungeli District Mungeli Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Mungeli District Mungeli Chhattisgarh

---- Respondent

For Applicant	:	Smt. Indira Tripathi, Advocate
For State	:	Smt. Fouzia Mirza, Addl. Adv. Gen.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****27/11/2020**

Heard.

The applicant is apprehending his arrest in connection with Crime No.385/2020 registered at Police Station – City Kotwali, Mungeli, Distt. - Mungeli (CG) for alleged commission of offences under Section 384/34 of IPC.

2. Prosecution case is that the applicant, along with other co-accused, went to Tahsildar and demanded money by way of extortion that if money is not given to him, he will get false news published against him regarding involvement of Tahsildar in illegal mining.

3. Learned counsel for the applicant submits that the applicant is being falsely implicated because certain voices were raised against the Tahsildar that Tahsildar was giving shelter to illegal mining in the area and when the news was circulated, the Tahsildar apprehended and lodged report against the applicant in the false case. He would submit that it is highly improbable because the applicant, a young boy, would go

to the Tahsildar and threaten him to pay money by way of extortion.

4. On the other hand, learned State counsel submits that the report of Tahsildar itself shows that the applicant and other co-accused demanded money by way of extortion that if money is not given, fake news against him may be published in the news paper regarding illegal mining.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission of learned counsel for the applicant that the allegation itself appears to be highly improbable that the applicant, a student, would seek money by way of extortion from Tahsildar that if he doesn't give money, a fake news may be published in the news paper that the authorities are giving shelter to illegal mining and that in the report, how much money was demanded, is not mentioned, present is a fit case for grant of anticipatory bail.

6. Accordingly, this application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the arresting officer and he shall abide by all the following terms and conditions -

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that he 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 from disclosing such facts to the Court or to any Police Officer.
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge