

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7373 of 2019

- Ishtaque @ Nageshwar @ Aslam Khan S/o Majhru Ansari
Aged About 38 Years R/o Village Dadgaon, Chowki- Manora,
Police Station Jashpur, Tahsil And District Jashpur
Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through Police Station Jashpur,
District Jashpur Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. A.K. Prasad, Advocate
For Respondent-State	:-	Mr. V.K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

17/01/2020

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 237/2019 registered at Police Station – Jashpur, District Jashpur (C.G.) for the offence punishable under Sections 387, 506, 120B of the IPC.
- The prosecution story, in brief, is that on 22.08.2019 two unknown persons have handed over a letter to

the guard of M/s Shivliya Constructions demanding money in the name of one Nageshwar. It was stated in the letter that if the demand was not fulfilled the machines will be touched and the construction of road will be disturbed. Subsequently in the same date the site in charge of the said construction company received a telephonic call demanding money otherwise to face dire consequences. Based on this, offence has been registered. The present applicant has been taken into custody on 02.09.2019.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the evidence collected by the prosecution is also not *prima facie* sufficient to hold the applicants guilty of the aforesaid offence. Next submission is that as the applicant is in jail since 02.09.2019, he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, the present applicant may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the present

applicant is in jail since 02.09.2019 and as 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 applicant on bail. Accordingly, the application is allowed.

- Accused/applicant is directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. Applicant is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ankit