

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8105 of 2019**

1. Tapan Majumdar S/o Shri S.R. Majumdar Aged About 49 Years R/o Gali No. 18, Smriti Nagar, Bhilai, District Durg Chhattisgarh.
2. Smt. Rupa Majumdar W/o Tapan Majumdar Aged About 34 Years R/o Gali No. 18, Smriti Nagar, Bhilai, District Durg Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Ms. Sunita Sahu, Advocate.
For Respondent	:	Mr. Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.02.2020**

- The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 662/2019 registered at Police Station - Civil Line Raipur (C.G.) for the offence punishable under Sections 384, 34 of IPC.
- The allegation against the present applicants is that, taking the advantage of acquaintance, fainted the complainant after intoxicating him and prepared his obscene video, threatened him that they would make this video viral and obtained Rs. 1,50,000/- from the complainant. Based on that, after completion of investigation, offence have been registered against the applicants and they have been arrested.
- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are in jail

since 19.11.2019, and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.

- On the other hand, counsel for the State opposes the bail application and submits that the applicants are habitual offender as there are previous antecedents registered against them, therefore, they may not be granted bail.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, particularly the fact that the offence is triable by Judicial Magistrate First Class, as applicants are in jail since 19.11.2019 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.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one 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.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu