

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4136 of 2021

- Safdar Raza S/o Jafar Raza, Aged About 50 Years, R/o Village Karanji, Outpost Karanji, Police Station Vishrampur, Tahsil and District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Outpost Karanji, Police of Police Station Vishrampur, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Respondent

MCRC No. 4247 of 2021

- Safdar Raza S/o Jafar Raza, Aged About 50 Years, R/o Village Karanji, Outpost Karanji, Police Station Bishrampur, Tahsil and District Surajpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Outpost Karanji, Police of Police Station Vishrampur, District Surajpur Chhattisgarh

---- Non-applicant

For Applicant – Mr. Anil Gulati, Advocate.

For State/Non-applicant – Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

19-07-2021

1. As in both these applications the applicant is one and the same, they are being decided by this common order.

MCRC No.4136 of 2021 has been filed by the applicant as he has been arrested on 10-04-2021 in connection with Crime No.76/2021 registered at Police Station – Outpost Karanji, P.S. Vishrampur, District Surajpur, Chhattisgarh for the offence under Section 509(ख), 384, 506, 354(घ) r/w 34 of the IPC and Section 12 of Protection of Children from Sexual Offences Act and Section 67(ख) of I.T. Act and Section 4 of Dharma Swayatata Adhiniyam.

MCRC No.4247 of 2021 has been filed by the applicant as he has been arrested on 10-04-2021 in connection with Crime No.75/2021 registered at Police Station – Outpost Karanji, P.S. Vishrampur, District Surajpur,

Chhattisgarh for the offence under Section 509(ख), 384, 506, 354(घ) r/w 34 of the IPC and Section 12 of Protection of Children from Sexual Offences Act and Section 67(ख) of I.T. Act and Section 4 of Dharma Swayatata Adhiniyam.

3. It is submitted by learned counsel for the applicant in MCRC No.4136 of 2021 that the applicant has been falsely implicated in this case. The allegations in the FIR is mainly against son of this applicant. This applicant has played no role, he has been implicated only because of the previous enmity. Therefore, it is prayed that he may be granted bail.

In MCRC No.4247 of 2021 learned counsel for the applicant similarly argued and prayer has been made for grant of bail.

5. Learned counsel for the State/non-applicant opposes both the applications and submits that there is clear evidence in both the cases against the applicant regarding commission of the offences as alleged. Therefore, no case is made out for grant of bail to this applicant.

6. Heard learned counsel for the parties and perused the case diary.

7. In Crime No.76/2021 the FIR has been lodged by complainant Dinesh Jaiswal, that co-accused Firdous Raza, son of this applicant allured the minor prosecutrix aged about 14 years, developed friendship and used to harass her by calling her on mobile phone by emotionally blackmailing her. It is alleged that the co-accused then made use of the Instagram, whatsapp for making video calls to the minor victim, on which he took screen shots of the minor victim. It is alleged that the co-accused then blackmailed the minor victim that he will morph her photographs to make it obscene and then make it viral. The minor victim on different dates has paid Rs.15,000/- to him in total. It is alleged that the co-accused continued threatening and blackmailing the minor victim then the victim informed about this incident to her father, who called this applicant to settle the matter, but the matter could not be settled. Therefore, the FIR has been lodged.

In Crime No.75/2021 complainant Adarsh Jaiswal has lodged the FIR in which the victim is his minor daughter and the story of this case is also similar. The co-accused after developing friendship with the minor victim compelled her to make video calls and also to show her private parts of which he took screen shots. Later on, the co-accused Firdous Raza started blackmailing the minor prosecutrix by threatening that he will make her photographs viral on social media. Complainant, father of the minor victim when approached this applicant, he supported the act of his son, the co-accused. Hence, this case.

8. Notice was issued to the complainant in MCRC No.4136 of 2021, but there is no appearance and no representation.

Complainant Adarsh Jaiswal in MCRC No.4247 of 2021 has appeared through Help Desk of DLSA Surajpur. He has objection in grant of bail to this applicant.

8. Considered on these submissions. As the facts of the cases show that the main accused is son of this applicant. The complainants in both the cases were not satisfied with this applicant because he did not interfere with the activities of his son, therefore, looking to the facts present, I am of this view that this applicant should be granted regular bail in both these cases.

9. Consequently, both these applications filed under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicant shall be released on bail on his furnishing in each of these cases a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge