

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6718 of 2021**

- Liyakat Khan, S/o Shri Hanif Khan, aged about 39 Years, R/o Kajona P.S. Laxmannal, District Alwar (Rajasthan).

----Applicant**Versus**

- State of Chhattisgarh, Through P.S. Arang, District Raipur, Chhattisgarh.

---Non-applicant

For Applicant	Shri F.S. Khare, Advocate.
For State	Shri Shakti Singh, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

26/10/2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.337/2021 registered at Police Station- Arang, District Raipur, C.G. for the offence punishable under Section 384 of Indian Penal Code.
2. As per the prosecution case, applicant made fake ID in the name of Rohini Sharma and thereby sent friend request to complainant, recorded the obscene videos and forwarded the same to his friends on facebook and demanded Rs.37,000/ from the complainant. On report being lodged to the above effect, the offence under the aforesaid Section has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime. He submits that there is no direct proof of applicant's involvement in the alleged crime. Applicant was arrested on 15.07.2021, charge sheet has already been filed and conclusion of trial is likely to take some time. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedents.
5. Heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, the nature of allegation made against the applicant, the detention period of the applicant, who is 39 years old, charge sheet has been filed, the offence is triable by the Magistrate First Class, the fact that the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two local sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-
 - (i) 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 fact to the Court,
 - (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in any offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh