

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1625 of 2020

1. Alok Kumar Yadav S/o Shiv Sahay Yadav Aged About 23 Years
R/o Kailash Nagar, Ward No. 18, Birgaon, Beside Maharana
Pratap School, P.S. Urla, Tahsil And District Raipur Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Acting Through Office-In-Charge, Police
Station Telibandha, District Raipur Chhattisgarh

---- Respondent

For Applicant	Mr. Lukesh Kumar Mishra, Advocate
For Respondent /State	Mr. Ravish Verma, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar Mishra

Order on Board

4/2/2021

1. The applicant has preferred this ***first bail application for grant of anticipatory bail***, as he apprehends his arrest in connection with Crime No.174/2020, registered at Police Station Telibandha, District Raipur (CG), for offence punishable under Sections 386, 504, 505(2), 467, 468, 471 & 120-B of the Indian Penal Code.
2. As per the prosecution case, the complainant Amar Parwani is the owner of Honda Showroom at Raipur. Present applicant and one Sheikh Shahnaz have purchased Honda Activa two wheeler from the complainant's showroom, Thereafter, the present applicant and Sheikh Javed have started moving complaints against Amar Parwani for his involvement in tax evasion by selling 2017 make vehicle as 2018 make vehicle and also by selling ordinary vehicles

as deluxe vehicles. It is alleged that the accused persons were trying to extort money from Amar Parwani by saying that if he does not pay Rs.10.00 lacs to them, cases will be registered against him and he will be eliminated. Such threat has also been posted on facebook.

3. From the material available in the case diary, it appears this applicant along with Shiekh Javed & Naveen Dubey lodged false complaints against Amar Parwani and were trying to extort Rs.10.00 lacs. There is statement of General Manager, G.K. Honda, Telibandha, Raipur, making specific allegation that this applicant along with Naveen Dubey reached the showroom and extended threat for payment of Rs.10.00 lacs. He also says that the applicant has made repeated calls over the mobile phone of Amar Parwani demanding the extortion amount.
4. Albeit the co-accused Naveen @ Navindra Dubey & Sheikh Javed have already been released on regular bail by this Court by common order dated 21-8-2020 passed in M.Cr.C.Nos.3788 of 2020 and 5519 of 2020, but the present is an application for grant of anticipatory bail where the grounds of consideration are different, therefore, considering the material available against the applicant in the case diary, this Court is not inclined to extend the benefit of Section 438 of the Cr.P.C. to the applicant.
5. Accordingly, the anticipatory bail application is rejected. However, in the event applicant surrenders and moves the regular bail application, the jurisdictional Court shall consider and decide the same expeditiously.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri