

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1231 of 2021**

1. Mayur Dayaramani S/o Vasudev Dayaramani Aged About 24 Years R/o Maikosabagh, Khaat Wala Baba Gali, Distt.- Nagpur (MH)
2. Yash Kingrani S/o Shishupal Kingrani, Aged About 20 Years R/o Priya Provision Stores, Surya Apartment, Pachpedinaka, Distt. Raipur (CG)

---- Applicants**Versus**

State Of Chhattisgarh Through P.S.- Tikrapara, Distt. Raipur CG

---- Non-Applicant

For Applicants : Shri Devershi Thakur, Adv.
 For State/Non-Applicant : Shri Vimlesh Bajpai, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****25-10-2021**

1. The applicants have preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as they apprehend their arrest in connection with Crime No. 327/2021 registered at Police Station Tikrapara, Distt. Raipur (CG) for the offence punishable under Section 384 of the Indian Penal Code.
2. Brief facts of the case are that the complainant lodged written report that the applicant No. 1 developed friendship with her through Facebook and then by blackmailing her on the threat that he will disclose about their friendship to her husband, extorted golden ornament and cash, total Rs. 7,00,000/- from her. Allegation against the applicant No. 2 is that the applicant No. 1 received some ornament through applicant No. 2.

3. Counsel for the applicants submits that the applicants have been falsely implicated in this case. It is a case of love affairs between applicant No. 1 and the complainant. In this relation, they made various whatsapp chat. When husband of complainant came to know about their relationship, the complainant filed false FIR against the applicants under pressure of her husband. He next submits that the applicants have not extorted alleged amount or ornaments or anything from the complainant, therefore, he prays that the applicants may be enlarged on anticipatory bail.

4. On the contrary, learned State counsel opposes the application for grant of anticipatory bail submitting that it is not only a case of extortion but the applicant No. 1 developed friendship with complainant through mobile phone and by threatening her to disclose about their friendship to her husband, they tried to ruin married life of the complainant. Therefore, the applicants are not entitled to get anticipatory bail.

5. I have heard learned counsel for the parties and perused the case diary and the material available.

6. Considering the facts and circumstances of the case, especially taking into consideration the FIR, nature of allegation, I feel inclined to grant anticipatory bail to the applicants.

7. Accordingly, the anticipatory bail application is allowed and it is ordered that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on anticipatory bail by the officer arresting them on each of them

executing a personal bond for a sum of Rs.50,000/- with one surety of the like sum to the satisfaction of the officer arresting them. The applicants shall also abide by the following conditions:-

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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/her from disclosing such facts to the Court or any police officer.
- (iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial;
- (v) that in case of change of address they will inform new address to investigating agency.

Certified copy as per rules.

Sd/-
(Shri N.K. Chandravanshi)
JUDGE