

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.7976 of 2020**

- Rameshwar Jangde S/o Chabilal Jangde Aged About 20 Years R/o Sonadula Ps And Tehsil Malkharuda, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Police Station Malkharauda District Janjgir Champa, Chhattisgarh

---- Respondent**MCRC No.8146 of 2020**

- Rameshwar Vaishnav S/o Premdas Vaishnav Aged About 28 Years R/o Senduras Ps And Tehsil Malkharuda, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Malkharauda District Janjgir Champa (Chhattisgarh), District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants	:	Shri Priyank Rathi, Advocate
For Respondent/State	:	Shri Shubham Verma, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Heard.

1. By this common order, the bail applications (M.Cr.C.Nos.7976 & 8146 of 2020) are being finally disposed off as the aforesaid two bail applications arise out of same crime number, registered at Police Station Malkharauda, District Janjgir-Champa for the offences punishable under Sections 384/34 of IPC.
2. Case of the prosecution is that the applicants threatened the complainant that if she does not pay Rs.20,000/-, they will circulate the objectionable video.
3. Learned counsel appearing for the respective applicant submitted that the allegation of the complainant does not make prima facie case under Section 384 of the IPC, but, at the most, it could be under Section 385 of the IPC, which is bailable in nature. He would further submit that in this case, investigation is complete, charge

sheet has been filed and that the applicants are in jail since 29-09-2020, therefore, at this stage, the applicants may be granted bail.

4. Learned counsel for the State/non-applicant opposes the application by submitting that prima facie case is made out against the applicants on the basis of the statement of the complainant regarding extortion of Rs.20,000/- putting her in the fear of circulating objectionable video.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission that no case under Section 384 of the IPC is made out against the applicants and further that no recovery of objectionable video from the possession of the applicant is made out, both the applications (M.Cr.C.Nos.7976 & 8146 of 2020) are allowed. It is directed that the applicant in aforesaid two bail applications shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with two local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
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