

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6686 of 2015

Vasu @ Vasudev, S/o. Sahasram, Aged About 20 Years, Caste- Satnami,
R/o. Village - Runpota, Police Station & Sub Tahsil - Hasaud, Tahsil
Jaijaipur, Civil & Revenue District- Janjgir – Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through - District Magistrate / Station House
Officer, Police Station - Hasaud, District Janjgir – Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate

For Respondent : Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.152/2015, registered at Police Station–Hasaud, District Janjgir-Champa (C.G.) for the offence punishable under Section 354-C, D & 34 of Indian Penal Code and 67(A) of the Information & Technology Act.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused Chhotu Khute tried to outrage the modesty of the victim and thereafter circulated the mobile pictures of the victim; thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the entire allegations are against Chhotu Khute about circulation of the video and no allegation is made against this applicant, therefore, taking into the act done by this applicant and considering his detention, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. The charge sheet in this case has been filed. I have gone through the statement of the victim wherein the primary allegation of circulation of video was on the Chhotu Khute, therefore, considering the role played by this applicant and further considering the period of detention, as he is in jail since 12.10.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge