

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4757 OF 2015**

Ajeet Satnami S/o Awadhram Banjare aged about 21 years R/o village Ramhepur, P.S. Kawardha Tahsil Kawardha Civil and Revenue District Kabirdham (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through District Magistrate Kawardha, Distt. Kabirdham/S.H.O. Police Station Kawardha, District Kabirdham (C.G.).

---Non-applicant

For Applicant	:	Mr. A.S. Rajput, Advocate.
For-Non-applicant	:	Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 173/2015, registered at Police Station Kawardha, District Kabirdham (C.G.), for the offence punishable under Sections 365, 354/34 of I.P.C.

2. Case of the prosecution, in brief, is that, present applicant took photograph of the complainant and co-accused Abhishek entered into the marriage with complainant and uploaded the photograph in the Internet and both of them outraged her modesty.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that it is co-accused Abhishek, who has entered into the

marriage with complainant on 21/03/2014 and there is delay of nine months in lodging the FIR as the FIR was lodged on 05/12/2014. He would lastly submit that applicant is in jail since 09/08/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that when the photograph of complainant was uploaded in the social website/internet, FIR came to be lodged.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; statement of complainant under Section 164 of Cr.P.C. and the manner, in which, photograph of complainant have been taken and uploaded the same in the social website/internet, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE