

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2178 of 2016**

Chandra Jangde S/o Shri Baliram Jangde Aged About 24 Years R/o Village Pendritalab, P.S. & Tah. Lormi, Distt. Mungeli, Civil Distt. Bilaspur And Rev. Distt. Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station City Kotwali, Distt. Mungeli Chhattisgarh.

---Non-applicant

For Applicant	:	Mr. M.K. Sinha, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**25/04/2016**

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.120/2016, registered at Police Station -City Kotwali, District Mungeli (CG), for the offence punishable under Section 292 of the IPC and Section 67-A of the Information Technology Act, 2008.

2. Case of the prosecution, in brief, is that applicant was found in selling obscene movie kept in the Computer and also transmitted the material containing sexual explicit act in electronic form, thereby committed offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been

implicated in the offence under Section 292 IPC, which is a bailable offence. He would further submit that there is no evidence that the applicant has transmitted any such punishable material to anyone and the applicant is in jail since 1.3.2016. The Charge-sheet has already been filed. He prayed for releasing the applicant on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, the role attributed to the applicant and pre- trial detention, and charge-sheet has been filed, the material available, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that the 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.

**Sd/
(Sanjay K. Agrawal)
JUDGE**