

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7286 of 2016

1. Gaurav Singh, S/o. Hajara Singh, aged about 24 years, R/o. Subhash Road, Ramnagar Bhilai, Police Station – Supela, Tahsil and District – Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District Magistrate, Durg, District – Durg (C.G.)

---- Respondent

For Applicant	: Mr. B.P. Singh, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2016

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.768/2016, registered at Police Station – Supela, District – Durg (C.G.) for the offence punishable under Section 354, 419 of Indian Penal Code and Section 66 (D), 67(A) of I.T. Act.
2. Case of the prosecution, in brief, is that a report was made by the victim that she is student of engineering and was also interested in modeling and she came in contact with the present applicant and she was given certain suggestion to shoot her photographs so that her photographs may be transmitted for modeling. Consequently, certain bold scene was taken though it was promised to make it confidential, however, it was made public. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant and the victim were known to each other and all the allegations are completely improbable and no sexual overt act has been committed by the present applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 18.08.2016, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the report and the statement of the victim as also the report about the past antecedents. It is stated that no previous case in the like nature is registered against the present applicant. Taking into the report and further considering the facts and circumstances of the case, charge-sheet has been filed and the applicant is in jail since 18.08.2016, 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 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