

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7426 of 2016

- Avinash Sahu S/o - Karan Sahu Aged About 26 Years R/o - Check Post, Ekta Nagar, Balco, Tehsil & District - Korba Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through - District Magistrate, Police Station - Jamul, District : Durg Chhattisgarh

---- Respondent

For Applicant : Mr. Pawan Shrivastava, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24-11-2016

1. This is the bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 24-9-2016 in connection with Crime No. 492 of 2016, registered at Police Station Jamul, District Durg (CG) for the offence punishable under Sections 292 (A), 384, 294, 506 read with Section 34 of IPC and Section 67 (A) of I.T. Act.
2. As per prosecution case, on 21-9-2016 a report was made by the victim girl has known the present applicant before her marriage and she got married on 10-7-2016. Thereafter, the applicant forwarded few of the obscene messages and photographs in her mobile and extended threat that in case the demanded amount is not paid, the photographs would be made public and an amount Rs.1,00,000/- was demanded. In a consequence, an amount of Rs.3,500/- was deposited in the account of the present applicant.
3. Learned counsel appearing for the applicant would submit that the applicant has not demanded any amount. The amount of Rs.3,500/- is for

the treatment of his son who is ailing from kidney problem, which has been returned back. He would further submit that charge-sheet has been filed, he is in jail since 24-9-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents. It appears that the son of the applicant is ailing from kidney problem.
6. Taking into consideration facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that charge-sheet in this case has been filed, the applicant is in jail since 24-9-2016 and no further investigation would be necessary, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Raju