

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 374 of 2017

- Surya Saran S/o Ayodhya Prasad Dubey, Aged About 28 Years R/o Village Bhaureli, Police Station Saragaon, Tahsil Champa District Janjgir Champa Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh through S.H. O. Police Station Navagarh, District Janjgir Champa Chhattisgarh ---- **Respondent**

For the applicant	:	Mr. Ravindra Sharma, Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

31.1.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 337/2016 registered at P.S. Nawagarh, Distt. Janjgir-Champa (C.G) for the offence punishable under Sections 292 & 509 of IPC and Section 67(2)(a) of the I.T. Act.
2. As per the prosecution case, a report was made by the complainant that by creating fake ID of her face book, obscene photographs by mixing the photographs of prosecutrix have been loaded in the face book by the present applicant with whom earlier marriage proposal was pending and it was turned down by her. Consequently some fake ID of complainant was created by the present applicant and the photographs were uploaded.
3. Learned counsel for the applicant would submit that two Mobile numbers 7470900423 and 9074880425 do not belong to the present applicant which were used in the crime and

one mobile belonged to one Trilochan Lal and in respect of other mobile, no inquiry was made and the EMI do not tally with the mobile which was held by the applicant. He further submits that no further investigation is necessary and the applicant is in jail 30.12.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. As appears the charge sheet in this case has been filed and all the documents have been seized.
6. Considering the nature of allegations levelled against the applicant and the fact that the charge sheet has been filed and the applicant is in jail since 30.12.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**