

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2129 OF 2017**

Anil Shrivastav S/o Chandrapal Shrivastav aged about 46 years R/o village Gayatripuram P.S. Kotwali Janpad/Dist. Gonda (UP)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Sarkanda Dist. Bilaspur (C.G.).

---- Non-applicant

 For Applicant : Mr. H.S. Ahluwalia, Advocate
 For Non-applicant : Mr. Adil Minhaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

13/06/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.66/2017 registered at Police Station- Sarkanda, Distt. Bilaspur (C.G.) for the offence punishable under Sections 509B/201 of IPC and 67 of the Information Technology Act, 2000.
2. As per the prosecution case, a report was made by the victim on 27/1/2017 that in two Whatsapp group, of which, the applicant was one of the administration, has shared the off-scene photographs of the victim and circulated to the others and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in this case. He would further submit that the applicant has not shared and circulated the off-scene photographs of the victim and

he is only the group member. He would further submit that victim and accused have in a relationship with each other. He would lastly submit that no further investigation would be necessary and the applicant is in jail since 03/02/2017, therefore, he may be enlarged on regular bail.

4. On the other hand, learned counsel for the State opposes the prayer for grant of bail.
5. Perused the case diary and taking into consideration the fact that the charge-sheet has already been and the applicant is in jail since 03/02/2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. Learned counsel for the applicant would submit that the applicant is resident of State of Uttar Pradesh and he may be permitted to deposit cash surety.
8. In view of the aforesaid submission, It is directed that the applicant shall be released on bail on furnishing cash surety and personal bond for a sum of Rs.25,000/- 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)
Vacation Judge