

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5505 of 2017

Jayprakash Sahu S/o Late Parasram Sahu, Aged About 30 Years R/o Village Darri, Tahsil & District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Bhakhara, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Rabiya Khan, Advocate
For State	:	Shri Shashank Thakur, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.133 of 2017 registered in Police Station- Bhakhara, District- Dhamtari (C.G.) for alleged commission of offence under Sections 509 (A), 509 (B) IPC and Section 67 of the Information Technology Act
2. Case of the prosecution, in brief, is that the applicant used to send obscene messages to the victim.
3. Learned counsel for the applicant would submit allegations against the applicant are false and the applicant never sent such messages. It is next submitted that the applicant is in jail since 30.5.2017, investigation is complete and charge sheet has been filed and looking to the maximum sentence which could be awarded for the alleged offence, the applicant may be granted bail.
4. On the other hand, learned counsel for the State, opposing the bail application, submits that the applicant had been sending obscene message to his own sister-in-law. Therefore, the applicant is not entitled to grant of

bail.

5. Taking into consideration the submissions made by learned counsel for the parties, considering that the applicant is in jail since 30.5.2017, investigation is complete, charge sheet has been filed and the maximum sentence that could be awarded for the offence alleged against the applicant, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge