

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1313 of 2018**

Pradeep Kumar Sen, S/o. Shri Khatanand Sen, Aged About 27 Years, R/o.-
Ghasidas Nagar, Jamul, Police Station- Jamul, District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station
Basantpur, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	: Mr. C.R. Sahu, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/04/2018**

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.421/2017, registered at Police Station – Basantpur, District – Rajnandgaon (C.G.), for the offence punishable under Section 419, 509 of the Indian Penal Code and Section 66 (A) 67(C) & 67(A) of the Information Technology Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 21.11.2017. No case is made out against him. Charge-sheet has been filed after completion of investigation. Trial against the applicant is likely to take some time for its conclusion. Therefore, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, from unknown and forged facebook ID displaying the name of the complainant -Mohar Shrivastava was being used for sending obscene video and messages to Nikita Mozes. On written complaint given by Mohar Sai on that basis, FIR has been lodged. In the investigation it has been found that the applicant was making use of the forged ID displaying the name of the complainant to send the obscene messages and videos.
6. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary, presently the trial against this applicant has commenced and no purpose would be served, if the, applicant is kept in detention for the whole period of trial, hence for this reason, 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge