

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 226 of 2018

- Karamveer Singh @ Vicky S/o Ishwar Singh Aged About 24 Years
Occupation- Private Job, R/o Village And Post Jhalmala, Tahsil-
Pusaur, Police Station Jutemill Chowki, District- Raigarh, Chhattisgarh.,
District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station
Jutemill, District- Raigarh, Chhattisgarh., District : Raigarh,
Chhattisgarh

---- Respondent

For Applicant : Mr. Ashish Gupta, Advocate.

For Respondent : Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

03/05/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.9/2018 registered at Police Station- Jutemill, District – Raigarh(C.G.), for the offence punishable under Sections 67 & 68 (B) of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. According to the statement given by the complainant/victim, this applicant is visible as a character in the alleged obscene video clip which was circulated in the whatsapp groups by co-accused Neelabh Patel, who has been granted anticipatory bail by the Sessions Court itself. Applicant is not the

person responsible for making any such circulation or publication, hence, it is prayed that he may released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to FIR lodged by complainant the mother of the victim, co-accused Neelabh Patel has uploaded the obscene video in the whatsapp group, in which this applicant is seen with the victim in objectionable condition, on which some of the group members have commented in a vulgar manner. Hence, this case.
6. After considering the contents of the case diary, it appears that main allegation is against co-accused Neelabh Patel and explanation is being given by the counsel for applicant, that the video clip may have been doctored or morphed or photo-shoped and the applicant intends to defend the case on these grounds, hence, after due consideration, I am of this view that this is a fit case where the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha