

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 253 of 2018

- Vipin Kumar Singh S/o Shri Ram Raj Singh Aged About 34 Years R/o Bauripara, Police Station And Tahsil Ambikapur District Surguja Chhattisgarh Presently Resided At Uttarhali, P. S. Banglore Distt. Banglore Karnatka, District : Bengaluru, Karnataka

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Gandhinagar, Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant : Mr. N.K. Mehta, Advocate.

For Respondent : Mrs. Smita Ghai, 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.417/2018 registered at Police Station- Gandhi Nagar, Ambikapur, District – Surguja(C.G.), for the offence punishable under Sections 501, 504, 506-B, 509 and 509-B of the Indian Penal Code, 1860.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case only because of misunderstanding the message that was sent by him in whatsapp chat referring to the complainant as BF has been misinterpreted by her, the applicant intended as Best Friend. Hence, it is prayed that he may be 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 the case against this applicant, applicant sent a message in the whatsapp group referring to one of his friends and he added that he is the first BF of the victim which was objected by the complainant and the FIR has been lodged.
6. On perusal of the statement of the complainant and the complaint made by her, it appears that the interpretation of BF is yet to be made. This being the only allegation against the applicant, I am of this view that this is a fit case where applicant should be granted regular bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants 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