

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2300 of 2018

Doman Singh, S/o. Rajkumar Miri, Aged About 27 Years, R/o- Village Khokhli, Police Station- Bhatapara Gramin, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Of Police Station Palari, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.05.2018

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.396/2017 registered at Police Station- Palari, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 507 of Indian Penal Code and Section 67 of I.T. Act.
2. As per the prosecution case, a report was made that the applicant has posted obscene messages and pictures on the social site in the Facebook in respect of a lady, which continued from 05.10.2017. The report having been made, investigation was carried out and it revealed that the present applicant was author and has committed the offence through his mobile.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and submits that the similar like nature of offence was registered against the applicant and after getting bail, again the offence has been repeated.
5. Perusal of the case diary would show that the applicant has committed similar nature of offence in Crime No.101/2015 and the charge sheet is filed for which the trial is pending. During pendency after getting the bail, the second offence in the like nature is committed. Taking into repetition of offence of the like nature, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge