

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 512 of 2018

Ramdayal Lahre S/o Late Kartikram Lahre Aged About 42 Years
R/o Dumarkihkala, Thana- Ghumka, Tahsil/ District Rajnandgaon,
Chhattisgarh (Applicant Name Wrongly Mentioned In order sheet).

---- Applicant

Versus

State of Chhattisgarh Through Thana Khairagarh, District
Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Samir Singh, Advocate
For State	:	Mr. Sameer Behar, G.A.
For Objector	:	Mr. Rajnish Singh Baghel, Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

02/07/2018

1. This is anticipatory bail application filed under Section 438 of the Cr.P.C. for releasing the applicant in the event of arrest in connection with Crime No. 103/2018 registered at Police Station- Khairagarh, District- Rajnandgaon (C.G.), for the offence punishable under Sections 294 A, 298 of IPC and 67 of Information Technology Act.
2. As per the prosecution case, on 05.04.2018 the present applicant published/ transmitted obscene material regarding Hindus Gods and one community on his Facebook profile.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and Facebook profile is not belonging to him, therefore, the anticipatory bail may be granted to the applicant.
4. On the other hand, learned State counsel opposes the anticipatory bail application and submits that there is prima facie evidence against the present applicant for transmitting obscene material on

his Facebook profile which created law and order problem therefore, he may not be enlarged on anticipatory bail.

5. Learned counsel for the objector also opposes the anticipatory bail application.
6. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to the fact that investigation is in primary stage and any order by this Court may adversely affect the investigation by the authority, I am not inclined to invoke extraordinary jurisdiction for grant of anticipatory bail in favour of the applicant.
8. Accordingly, the anticipatory bail application filed under Section 438 of the Cr.P.C. is rejected.

Sd/-
(Ram Prasanna Sharma)
Judge