

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7806 of 2017**

Rajesh Tiwari S/o Late Gajendra Prasad Aged About 33 Years R/o
Sichai Colony Chakradhar Nagar Raigarh Tahsil & District Raigarh
Chhattisgarh. Mobile No. 8815289155.

---- Applicant**Versus**

State Of Chhattisgarh Through The District Magistrate Raigarh District
Raigarh Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Abhishek Pandey, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.01.2018**

Heard.

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. 97 of 2017, registered at Police Station Chakradhar Nagar, Raigarh, District Raigarh, Chhattisgarh for the offence punishable under Section 509 (b) of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 6.5.2017 and he has been falsely implicated in this case. The offence alleged to have been committed by him is punishable with minimum six months and maximum up to two years of imprisonment. He already passed a period of about 7 months in jail. The applicant is a government servant and he is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. Chief Executive Officer, Janpad Panchayat, Raigarh, complainant – Ms. Neha Singh lodged a complaint against the applicant stating that the applicant had been continuously harassing her by sending obscene, objectionable and insulting messages to her and he was similarly harassing another female employee of the department since one year. On the basis of the information, the case has been registered against the applicant.
6. Considering the submissions and the contents of the case-diary and no purpose would be served if the applicant was kept in detention for the whole period of trial. Hence, this application is allowed.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge