

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 3698 of 2018

- Aniket @ Bharat Baksare S/o Shri Dharamraj Baksare Aged About 22 Years R/o- Ward No. 30 Karbala Road Sudarshan Nagar Bilaspur, P.S.- City Kotwali, Civil And Revenue, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-Civil Lines, Raipur, Civil And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Sumit Shrivastava,
Advocate.

For the Respondent/State : Shri Anupam Dubey, Dy. GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18.05.2018

1. Heard on application for grant of Ad- interim bail.
2. Learned counsel for the State submits that case diary is available in this case.

3. Heard finally on the bail application filed by this applicant under Section 439 of Cr.P.C.
4. 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.286/2018, registered at Police Station –Civil Lines, Raipur, District – Raipur, (C.G), for the offences under Sections 294, 323, 506 -B, 509-A, 354 B of the Indian Penal Code.
5. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He is in jail since, 23.04.2018. The victim in this case is a major lady. The applicant and prosecutrix had love affair, because of some misunderstanding FIR has been lodged and at present the victim and her parents agreed to marry the victim to this applicant. The affidavit attached with the application that was filed by the prosecutrix herself before the Sessions Court giving the statement that she has no objection if bail granted to this applicant, which has not been taken into consideration by the Sessions Court. Certified copy of the order passed by the Sessions Court in that other documents are filed along-with this application, hence, it is prayed that he may be released on bail.
6. Learned counsel for the State opposes the bail application and submissions made in this respect.
7. Heard counsel for both the parties and perused the case diary.
8. According to the prosecution case, this applicant abused, threatened and caused simple hurt and then he outraged the modesty of the victim by posting her objectionable photograph

in social networking sites. After lodging of FIR by the complainant/victim the case has been registered against the present applicant.

9. Considered on the submissions made and contents of the case diary. Perused the documents, certified copies along-with copy of affidavit attached with the application and also the order passed by the Sessions Court, in which it is mentioned that marriage of this applicant with the victim has been negotiated by her parents and as soon as he released on bail the marriage will be performed. Looking to the development of things, I am of the view that it is a fit case where the applicant should be released on bail.

10. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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