

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3821 of 2018**

- Ajay Gautam S/o Shri Lal Bahadur Aged About 26 Years R/o Uchhbhatti Road, Kirodimal Nagar, Tahsil And District Raigarh Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Kotra Road, Raigarh, District Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Shri Sanjay Agrawal, Advocate
For respondent/State	: Shri Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****04.7.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 04.5.2018 in connection with Crime No.121/2018, registered at Police Station Kotra Road, District-Raigarh (CG) for the offence punishable under Section 509 of the Indian Penal Code and under Sections 67, 67(a) of Information Technology Act, 2000.

2. Case of the prosecution is that present applicant circulated obscene material against the complainant through Internet to ruin her modesty.

3. Learned counsel for the applicant submits that the applicant is innocent, he is in jail since 04.5.2018, charge sheet has already

been filed, the trial will take sufficient time, therefore he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Looking to the fact that the offence is triable by Judicial Magistrate First Class, the applicant is in custody since 04.5.2018, charge sheet has already been filed and further looking to the fact that the trial will take sufficient time, I am inclined to allow the application.

7. Accordingly, application filed under Section 439 of the CrPC is allowed. 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE