

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 686 of 2018**

Devesh Ranjan Singh S/o Late Shri Niranjana Pratap Singh, Aged About 29 Years B. E. In Chemical Engineering Working As Private Consultant. R/o Quarter No. B/211 Adarsh Nagar, Kusmunda, Police Station Kusmunda, District- Korba, Chhattisgarh.Accused., District : Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, P. S. Kusmunda, District Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashok Verma, Advocate.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****25.07.2018**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.
2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 4 of 2018, registered at Police Station – Kusmunda, District – Korba, Chhattisgarh for the offences punishable under Section 354(D) of the Indian Penal Code and Section 67 of the IT Act.
3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. The offences that are registered against the

applicant are bailable in nature, even then the Sessions Court has rejected the bail. Hence, it is prayed that the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that the application is not maintainable. Hence, the applicant is not entitled for grant of anticipatory bail.

5. Heard counsel for both the parties and perused the case diary.

6. The allegation against the applicant is that he used to follow the victim in this case and after she left the place, this applicant by making a fake ID in face-book used to send obscene messages and also messages of threat to the victim in this case.

7. The offence under Section 354D of the IPC is bailable according to the schedule of Cr.P.C. and also offence under Section 67 of the IT Act is bailable according to the provision under Section 77B of the IPC. Hence, the applicant shall be at liberty to approach the concerned Court for grant of bail otherwise the application under Section 438 of the Cr.P.C. is not maintainable in this case. With the aforesaid observations, the application for anticipatory bail is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge