

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5150 of 2018**

Vijay Kumar @ Bijju Meena S/o Nandlal Meena Aged About 40 Years
R/o Meena Colony, Sawai, Madhopur, Police Station- Man Town,
District- Sawai Madhopur, Rajasthan

---- Applicant

Versus

State of Chhattisgarh Through- Police Station- Civil Lines- District-
(Revenue And Civil)- Bilaspur, CG

---- Respondent

For applicant	Mr. Anand Kesharwani, Adv.
For Respondent/State	Mr. Vinod Tekam, PL
For complainant	Ms. Shailja Shukla, Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****11-9-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 22/2018 registered in police station Civil Lines, Distt. Bilaspur (CG) for offence punishable under Sections 354 (१) 384, 506-B, 509 and 292 of the IPC and Sections 66 and 67-A of the I.T. Act.
3. Prosecution story in brief is that the prosecutrix is working in New Horizon Dental Clinic, Sakri, Bilaspur. There was love affair between the applicant and the prosecutrix for last 10 years. Age of the prosecutrix is 32 years. The applicant and the prosecutrix were inclined to marry with each other. The applicant had made nude video of the prosecutrix, blackmailed her and obtained Rs. 5 lacs from her. He uploaded her nude video in Whatapp. The offences are triable by the magistrate first class.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated in the crime hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He submits that the applicant has been involved in one more criminal case under IPC.
6. Looking to the above facts and circumstances of the case, looking to

the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, applicant is in custody since 22-2-2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any crime in future and he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge