

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5848 of 2018**

Vicky Soni S/o Vikram Soni Aged About 24 Years R/o- Ambedkar
Ward Kondagaon, Tahsil And District Kondagaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Police Station Kondagaon,
District- Kondagaon, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.K. Tulsyan, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**31/08/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 116/2018 registered at Police Station Kondagaon, District Kondagaon (C.G.) for the offence punishable under Section 509 (B) of IPC and 66 (C) and 67 of Information and Technology Act.
3. Case of the prosecution, in brief is that prosecutrix was near about 21 years old and resident of RIS Colony, Kondagaon. From 07/05/2018 applicant was sending the message and obscene photo of the ID of the prosecutrix through fake ID.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.

6. Looking to the above mentioned facts and circumstances of the case and as per the statement of the Govt. Advocate there is no antecedent, offences are triable by Judicial Magistrate First Class, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde