

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6365 of 2018**

Prince Kashyap S/o Shri Dinanath Kashyap Aged About 20 Years R/o
Village Darripura P.S -Ambikapur , District -Surguja Chhattisgarh,

---- Applicant

Versus

State Of Chhattisgarh Through P.S Incharge P.S-Gandhinagar,
District-Surguja Chhattisgarh,

---- Respondent

For the Applicant	:	Shri Sunil Tripathi, Advocate appears on behalf of Shri Bhupendra Singh, Advocate
For the State	:	Shri Sumit Jhavar, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**23/10/2018**

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 counsel for the State in connection with the Crime No.194/2018 registered at Police Station Gandhi Nagar, District Surguja (C.G.) for the offence punishable under Sections 354 C, 354 D (1-2), 509 B of IPC & 66 (3), 67, 67-A of I.T. Act.
3. Case of the prosecution, in brief is that the prosecutrix is near about 30 years old. She is resident of Subhash Nagar, Ambikapur. Applicant had made fake I.D. and he was sending obscene messages and photos in the Facebook I.D. of the prosecutrix.
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. He further submits that there is no antecedents against the applicant.

6. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, the trial will take its own time, offences are triable by Judicial Magistrate, 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 ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- 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 of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde