

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.7136 of 2018**

Vipin Paknikar, S/o Shri Basant Paknikar, aged about 37 years, R/o 5-1-560, Turup Bazar, Abix, Hyderabad, P.S. Sultan Bazar, Hyderabad (Telangana).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Basantpur, District Rajnandgaon (CG).

---- Non-applicant

For Applicant : Mr. Sunil Pillai, Advocate.

For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****31.10.2018**

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 Basantpur, District Rajnandgaon for the offence punishable under Section 384 of IPC & Section 67(A) of IT Act.
3. Prosecution story in brief is that the complainant Neha Korane is a resident of village Chandra Colony, Basantpur. Earlier, she has lodged a FIR against the applicant in Pune. The applicant was given threatening to her that she withdraw the said case, otherwise, he shall display her obscene photographs in social media.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State submitted that one case under of IPC Act has already been registered against the applicant hence is not entitled for grant of bail.
6. I have heard counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence;

and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant.

8. Accordingly, the present bail application filed under Section 439 of the CrPC is allowed.

9. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial 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 co-operate during the trial, he shall be released on bail.

10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-