

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1357 of 2018**

Nihaluddin S/o Naimuddin Aged About 21 Years R/o Village- Narayach,
Tahsil- Maudaha, District- Hamirpur, Uttar Pradesh., District : Hamirpur, Uttar
Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Bhilai-
3, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant : Shri N. Naha Roy, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.11.2018**

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.234 of 2013 registered at police station Bhilai-3, District Durg, Chhattisgarh for the offence punishable under Section 67 of the I.T. Act, 2000.
3. Heard counsel for both the parties and perused the case diary.
4. As the offence registered against the applicant is under Section 67 of the IT Act, which is punishable up to 3 years, in case of first offence

alongwith imposition of fine according to the provision under Section 77B of the IT Act in offences punishable up to 3 years are bailable in nature. Hence, in such a case there is no requirement to exercise the jurisdiction under Section 438 of the Cr.P.C.

5. Accordingly, the anticipatory bail application is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge