

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8831 of 2018

- Shiv Kumar Banjare S/o Vishnu Prasad Banjare Aged About 24 Years R/o Village Rasauta ,police Station Palari District Balodabazar -Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Palari District Balodabazar -Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant : Ms. Arpana Singh, Advocate.

For Non-applicant : Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 269/2018 registered at Palari District Balodabazar -Bhatapara (C.G.) for the offence punishable under Sections 354, 506 of the Indian Penal Code and Section 67 of the IT Act.
3. Case of the prosecution, in brief is that prosecutrix is 21 years old and is resident of village Achholi. Applicant obtained nude photographs and photographs of private part of prosecutrix and thereafter he made it viral.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been 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 and submits that one criminal case has been registered against the applicant.
6. 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, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will 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.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE