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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C.(A). No. 1554 of 2018**

Vivek Kumar Gupta, S/o. Late Vijay Gupta, Aged About 27 Years,  
Occupation Business, R/o. Bhailyathan, Thana -Surajpur, District Surajpur  
Chhattisgarh.

**----Applicant****Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station  
Chakradharnagar, District Raigarh Chhattisgarh.

**---- Respondent**


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For Applicant : Mr. Sushil Dubey, Advocate

For Respondent/State : Mrs. Madhunisha Singh, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****04/12/2018**

1. Apprehending arrest in connection with Crime No.392/2018, registered at Police Station – Chakradhar Nagar, Raigarh, District – Raigarh (C.G.) for offence punishable under Section 354-D of the Indian Penal Code and Section 67 of Information Technology Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant. It is submitted that the offence under Section 354(D) of the Indian Penal Code and Section 67 of I.T. Act, both are bailable in nature and there is no other offence registered

against the applicant, even then the Court below has rejected the application under Section 438 of Cr.P.C. Hence, there is apprehension of arrest of the applicant. Therefore, it is prayed the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel submits that as the offences registered are bailable in nature, therefore, the application is not maintainable.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. On perusal of the case diary, it has appeared that both the offences registered are bailable in nature. Hence, the applicant has got the entitlement to surrender and pray for furnishing bail bonds before the police officer and there is no need to pass any order in such application.
6. Accordingly, the application is disposed off.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge