

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1650 of 2019

- Ajay Kumar Sahu S/o Udalram Sahu Aged About 40 Years R/o Shivaresidency Phase - 1, Qr. No. 39, Mathpuraina, Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station - Telibandha, Raipur District Raipur Chhattisgarh

.....Non Applicant

For the Applicant : Mr. A.S. Rajput, Advocate

For Non Applicant : Mr. Apurv Goyal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board27.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants 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.28/2019 registered at Police Station- Telibandha, Raipur, District- Raipur (C.G.) for the offence punishable under Section 509 (B) of Indian Penal Code.
3. Case of the prosecution, in brief is that applicant is the husband of complainant between 07.09.2018 to 17.01.2019 at Chilphi heights Raipur applicant wrote scripture on the wall of house of complainant to tarnish her reputation. He had also sent some obscene message and photograph in her mobile.
4. Learned counsel for the applicant submits that 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, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Looking to the 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that 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 not commit such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul