

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1924 of 2019**

- Rushiya Suranga Luha @ Rajesh Luha S/o Hamido Luha Aged About 22 Years Permanent R/o Village Bahura, P. S. Mudibahar, District Balangir Odisha At Present R/o Utkal Nagar Akshwani Raipur, P. S. Civil Line, Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pandri, Mova, District Raipur Chhattisgarh

.....Non Applicant

For the Applicant : Shri Raghvendra Pradhan, Advocate

For Non Applicant : Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****04.04.2019**

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.358/2018 registered at Police Station- Pandari, Mova, Raipur (C.G.) for the offence punishable under Section 509(B) of Indian Penal Code and Section 67-A of Information Technology Act.
3. Case of the prosecution, in brief is that complainant is about 29 years old. She is resident of Lodhipara, Raipur. During 25.06.2018 to 03.09.2018 applicant had sent repeatedly obscene messages and Photographs in the mobile of complainant and some other persons.
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.
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 not commit similar type of offence 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

Parul