

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4200 of 2019**

Rajendra Kumar Chouhan S/oShri Mayadhar Chouhan, Aged about 26 years
R/o Bangchi Thana Baramkela, Distt. Raigarh (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Police Station Chakradhar Nagar, Raigarh, Distt.
Raigarh (C.G.)

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Respondent	:	Mr. K.K. Dewangan, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

24/07/2019

1. The Applicant has preferred this Second Bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 245/2018 registered at Police Station Chakradhar Nagar, Raigarh (C.G.) for the offence punishable under Section 509 of the IPC and 67 of the Information Technology Act.
2. First bail application preferred by the Applicant was withdrawn with liberty to file afresh after examination of the Prosecutrix before the trial Court vide order dated 25/09/2018 passed in MCRC No. 5817/2018.
3. As per prosecution story, the Complainant lodged a report before the police station alleging therein that the Applicant has circulated obscene things of the Complainant on the whatsapp to ruined her modesty. On the basis of above report, offence has been registered. The Applicant has been arrested on 15/02/2018.

4. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that till date 8 witnesses have been examined including the Prosecutrix. The Applicant is in custody since 15/02/2018 and trial will take time, therefore, the Applicant may be released on bail.
5. Counsel appearing on behalf of the State also opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly considering the detention period of the Applicant and that trial is likely to take time, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge