

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4514 of 2019**

- Baldev Tiwari S/o Vijay Aged About 21 Years R/o Kailash Tikri, Sindhi Camp, Police Station Khadan, District- Akola, Maharashtra.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Koni, District (Revenue and Civil) Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri Sumit Jhawar, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**03/09/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 160/2019, registered at Police Station – Koni, District (Revenue & Civil) - Bilaspur, (C.G.) for the offence punishable under Section 509 of Indian Penal Code and Section 67 of I.T. Act.
2. As per the prosecution story, prosecutrix is a student studying in G.E.C. College, residing at G.E.C. Girls Hostel, Koni, Bilaspur. On 04.06.2019, she made a written complaint in the police station wherein it has been alleged that present Applicant used to torture her mentally by calling her on mobile phone and saying that he will viral her personal photographs in social media. On the basis of the said report, offence has been registered. Applicant has been taken into custody on 30.06.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further states that there was a love relationship between the Applicant and the prosecutrix. When the family members of the prosecutrix

came to know about this, they made pressure on prosecutrix to lodge a false report against the present Applicant. He further submits that Applicant is a student aged about 21 years. He is in custody since 30.06.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant is a student, he is in custody since 30.06.2019, charge-sheet has been filed and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one solvent 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