

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C No. 4666 of 2019

Anjordas Sonwani S/o Shri Uderam Aged About 30 Years Caste-Satnami, R/o Village- Tenduadih, Tahsil- Pandariya, District-Kabeerdham, Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh Through The Station House Officer, Police Station- Pandariya, District- Kabeerdham, Chhattisgarh.

---- Respondent

For Applicant.	:	Shri Ravindra Sharma, Advocate.
For Respondent.	:	Shri Anil Tripathi, PL for State
For Objector	:	Shri Basant Dewangan, Advocate on behalf of Shri Dinesh Tiwari, Advocate.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

22/10/2019

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.96/2019 registered at Police Station : Pandariya, District - Kabeerdham (C.G.) for the offences punishable under Sections 354(A), 509(B) of the Indian Penal Code and Section 67 of the Information Technology Act,2000.
2. As per the prosecution case, the applicant/accused send some obscene photographs of prosecutrix on her whatsapp number threatening her to maintain physical relation with him, otherwise he will spread his obscene pictures in other groups. Based on which, the offence has been registered against the applicant and he is in custody since 22.06.2019.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and that he has not shared such photographs on whatsapp. FIR has lodged against unknown person. He further submits that the applicant is in custody since 22.06.2019, charge-sheet has been filed, the trial is pending and it will take some more time, therefore, he may be released on bail.

4. On the other hand, the learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant had previous antecedents, hence, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, the nature of offence and further considering the fact that the applicant is in custody since 22.06.2019, charge-sheet has been filed, trial will take some more time and the matter is triable by Judicial Magistrate First Class, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the accused/applicant shall be released on bail on his furnishing a personal bond of Rs.50,000/- with one surety for the like amount to the satisfaction of the concerned trial Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge

Jamal