

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5064 of 2019**

Neelam Yadav S/o Mohar Singh Yadav Aged About 28 Years R/o Village Khedigaon, Police Station Tendukona, Police Station Pithora, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Tendukona, District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant : Shri B.L. Sahu, Advocate.
For the Respondent/State : Shri C.B. Kesharwani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.09.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.75 of 2019, registered at Police Station – Tendukona, District – Mahasamund, Chhattisgarh for the offence punishable under Section 292 of the Indian Penal Code and Section 67 of the Information Technology Act.
2. Learned counsel for the applicant submits that the applicant is in jail since 24.7.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. It is alleged that this applicant prepared a nude photo of the victim and uploaded the same in WhatsApp social media by using his mobile phone regarding which, the FIR has been lodged.
6. As the case is still under investigation and no purpose would be served if the applicant is kept in detention for the whole period of trial, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge