

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6500 of 2019**

- Sharad Agrawal S/o Shri Brij Bihari Agrawal Aged About 30 Years, R/o M-II, 48, Phase 2, Kabir Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Thana In-Charge, Thana Purani Basti, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Arvind Sinha, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 279/2019 registered at Police Station Thana Purani Basti, Raipur, District-Raipur (C.G.) for the offence punishable under Sections 507 of the IPC and 67-A of IT Act.
2. The prosecution story, in brief is that, complainant Umesh Agrawal lodged an FIR that in my mobile No. 9826187997 and his wife's Mobile No. 9826851277 received objectionable whats-app messages and photos and voice calls from the Mobile No. 9806051455, due to which we have mentally tortured. After investigation it is found that the said mobile No. 9806051455 is belonged to the present applicant. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 27.08.2019,

there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class and the present applicant is in jail since 27.08.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**