

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 70 of 2020**

- Lakhan Singh Sidar S/o Jaipal Singh Sidar Aged About 33 Years
R/o Village And Devri, Tahsil And P. S. Shakti, District Janjgir
Champa Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Police Station Shakti,
District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	Mr. Anand Kesharwani, Advocate
For Respondent/State	Mr. Ravish Verma, Government Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****10/8/2020**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.391/2019, registered at Police Station Shakti, District Janjgir-Champa (CG) for the offence punishable under Section

295 A of the IPC.

3. As per the prosecution case, while the applicant being a member of *Bol Bum* Whatsapp Group, posted an objectionable indecent comment for Goddess Durga.
4. Learned counsel for the applicant submits that at the time when the objectionable indecent comment was posted, the applicant was not using the mobile phone. Some children of the applicant's house, who were playing game in the mobile phone, might have accidentally forwarded some message without any intention to offend the feelings of the members of the Group.
5. Considering the nature of allegations and the explanation offered by learned counsel for the applicant, I am of the opinion that present is a fit case, in which, the applicant should be extended the benefit of Section 438 of Cr.PC.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) he shall make himself available for interrogation by a Police Officer as and when required;
 - (ii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him for disclosing

such facts to the Court or to any Police Officer.

- (iii) he shall not influence the witnesses during pendency of the trial.

7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna