

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 646 of 2020**

- Md. Usmaan alias Ayaan, S/o Md. Rafik, aged about 23 years, R/o Bristol Chowk, Chotapara, P.S. Vidhansabha, Tehsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station - Civil Lines, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Vinay Nagdev, Adv.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/03/2020**

1. The applicant has preferred 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.590/2019, registered at Police Station - Civil Lines, Raipur (C.G.) for the offence punishable under Sections 469, 506, 509B IPC and Sections 66C & 66D of Information and Technology Act.
2. The allegation against the present applicant is that he first hacked his wife's face-book account, sent friend request to father of his wife and uploaded a smoking cigarette picture of his wife with some objectionable words. Based on this, offence has been registered. The present applicant has been taken into custody on 19.10.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there was love affair between the complainant's daughter and the applicant but the

complainant, who is father of his wife, was against this relationship and started influencing and luring the applicant's wife to get out of her marriage. He also submits that there is no incriminating material against the applicant to prove that the said videos or messages were uploaded by the present applicant as there were three mobile numbers were registered in the facebook id of the applicant's wife. It is next submitted that the applicant is in custody since 19.10.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 19.10.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on 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 his executing a personal bond for a sum of Rs.25,000/- 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, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge