

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1755 of 2020**

- Sonu @ Shriram Chouhan son of Sukalu Ram, aged 27 years, resident of village – Katnai P.S. and Tahsil Akaltara, District Janjgir Champa (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Janjgir, Civil & Revenue District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Shri Tapan Kumar Chandra, Adv.
For Respondent	:	Shri Anand Verma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****05/06/2020**

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.61/2020, registered at Police Station – Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 506 and 509-B IPC.
2. The allegation against the present applicant is that he sent some obscene messages on the mobile of complainant and when she was going to college, the present applicant snatched her mobile and also threatened her that he would viral her photos. Based on this, offence has been registered. The present applicant has been taken into custody on 14.02.2020.
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 is no incriminating material against the applicant to prove that the said messages were sent by him. He also submits that the applicant is in custody since

14.02.2020, the case is triable by Magistrate 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 record.
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 14.02.2020, the case is triable by Magistrate 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.
9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge