

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1761 of 2020**

Saurabh S/o Balram Singh Aged About 20 Years R/o Bich Para, Sankra,
Thana Sihawa, Tahsil Nagari, District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Sinhawa, District Dhamtari Chhattisgarh.

---- Respondent

For the Applicant : Shri Soumitra Kesharwani, Advocate.
For the Respondent/State : Shri Vimlesh Bajpai, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.05.2020**

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.14 of 2020, registered at Police Station – Sihawa, District – Dhamtari, Chhattisgarh for the offence punishable under Sections 292, 354(A) (1-2-3), 354(D) and 509 of the Indian Penal Code, Sections 67, 67A and 67B of the I.T. Act and Sections 12 and 14 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 9.2.2020 and has been falsely implicated in this case. The police has not recovered and seized any obscene video even though the mobile of the applicant was seized in the investigation. In fact, the applicant and the victim had an affair between them. Because of some dispute, this FIR has been

lodged. Hence, there is no case against the applicant, 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. It is submitted that there is a direct statement given by the victim against the applicant. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, this applicant used to stop the victim and also used to send messages and make telephone calls on mobile to the victim. He threatened the victim that he had prepared one objectionable video and if she does not submit to his wishes he will make that video viral. Hence, the FIR has been lodged.

6. After considering all the facts and circumstances of the case and finding that there is no recovery of any obscene video from the applicant himself and also that the case is pending for trial, therefore, 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

Nimmi