

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2993 of 2020

Vikas Kumar Jain (Duggad), S/o Devi Chand Jain, Aged About 39 Years, R/o Pratapganj Para Jagdalpur, District- Bastar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: The Police Station Bodhghat, District- Bastar (C.G.)

--- Respondent

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate.

For Respondent : Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08/06/2020

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. 139/2020, registered at Police Station- Bodhghat, District- Bastar (C.G.) for the offence punishable under Sections 505(1)(B) & 509 (B) of IPC.
2. Learned counsel for the applicant submits that the applicant is in jail since 08.05.2020 and has been falsely implicated in this case. No case is made out against the present applicant. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application submitting that the applicant has posted some objectionable chat in Whatsapp Group because of which image of the complainant who is Mayor of Jagdalpur Corporation

was maligned, therefore, he is not entitled for grant of bail. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the records.
5. As per the facts of the case, the present applicant posted some objectionable chat against the Mayor in Whatsapp Group of social media which was circulated in Jagdalpur for which the FIR has been lodged.
6. After considering the facts and circumstances of the case, I am of the view that it would be proper to release the applicant on regular bail, hence, 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.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge