

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 667 of 2020

Akash Kashyap S/o Rajendra Kashyap Aged About 28 Years R/o Behind Pali Hospital, Police Station- Pali, District- Korba, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Korba, District- Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate.

For Respondent/State : Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

01/07/2020

1. The matter is heard through video conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 119/2020, registered at Police Station Pali, Distt. Korba (C.G.) for the offence punishable under Sections 295-A & 505 part II of the IPC.
3. As per prosecution story, on 15.04.2020, a written complaint has been submitted by the complainant against the applicant, wherein, it has been alleged that on 14.04.2020, on birthday occasion of Baba Saheb Dr. Bhimrao Ambedkar, the applicant forwarded objectionable contents in social media (Facebook). On the basis said complaint, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant has bonafidly forwarded the said post and on 16.04.2020, he tendered his unconditional apology. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail

application.

6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant 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/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge