

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 708 of 2020

Sarvesh Verma S/o Lt. Suresh Verma, Aged About 35 Years R/o Narmada Nagar, Thana Civil Line, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Reserve Force Civil Line District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Tarendra Kumar Jha, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

17.07.2020

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. 237/2020, registered at Police Station: Civil Line, Bilaspur District: Bilaspur (C.G.) for the offence punishable under Section 295 (A), 504, 188 of IPC & Section 03 of Epidemic Act, 1897.
3. According to the case of the prosecution, a report was lodged on 02.04.2020, wherein, it has been alleged that, present Applicant made an objectionable facebook comment regarding particular community. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He submits that by mistake the offence has been happened by the Applicant and as soon as he realized his mistake he had deleted the said facebook comment and tendered his apology to the concerned Police Station, therefore, 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 the parties.
7. Considering the facts and circumstances of the case and arguments adduced by counsel for the parties particularly considering that Appellant has tendered his apology letter to the concerned Police Station, without further commenting on other 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 in the sum of Rs. 25,000/- with one 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 the 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