

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 691 of 2020

Mahendra Singh S/o Aagasram Aged About 28 Years R/o Ward No. 09,
Karmandi Road Pachri, Police Station Seorinarayan District - Janjgir - Champa
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Seorinarayan District -
Janjgir - Champa Chhattisgarh.

---- Respondent

For Applicant : Mr. Ajay Ayachi, Advocate.

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

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

22/09/2020

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. 118/2020, registered at Police Station Seorinarayan, Distt. Janjgir-Champa (C.G.) for the offence punishable under Sections 354 C, 354 D & 509 B of the IPC and Section 67(A) of IT Act.
3. In this case, the prosecutrix is a married lady aged about 26 years. According to the case of prosecution, on 23.04.2020, report has been lodged by the prosecutrix alleging therein that prior to one year from lodging the said report, when she was taking bath allegedly the applicant contacted her through video call and recorded obscene clip of her. It is further alleged that later on the applicant made obscene clip of the prosecutrix viral on social media. On the basis of said report, 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 entire story narrated by the prosecutrix is suspicious. There is no material available on record which can show that

obscene clip was recorded by the applicant or he made viral the said clip. Prima facie no case can be made out against him. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for 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 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 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