

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3721 of 2020**

- Kishore Kumar Kripal S/o Dilip Kumar Kripal, aged about 21 years, R/o Quarter No. 4/J, Cross Street No. 3, Sector 6 Bhilai Nagar, Tehsil and District Durg C.G.

---- Applicant

Versus

- State of Chhattisgarh Through- District Magistrate, District Durg, C.G.

---- Respondent

For Applicant.	:	Mr. Avinash Chand Sahu, Advocate.
For Respondent/State	:	Mr. H.S. Ahluvalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

1. Heard on Admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 131/2020 registered at Police Station - Bhilai Nagar, District Durg (C.G.) for the offence punishable under Section 67 of IT Act.
4. The allegation against the applicant, as per the prosecution case, is that on 05.07.2019 he posted the obscene content in the social media. Based on that, after investigation, offence has been registered against him and he has been arrested.
5. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that the offence is triable by Judicial Magistrate First Class and there is no criminal antecedent registered against the applicant. Learned counsel for the applicant further contended that he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

6. Per contra, learned state counsel opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.
10. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c)

No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu