

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4719 of 2020**

- Ayush Singh, aged about 22 years, son of Manoj Kumar Singh, Caste Kshatriya, Occupation Student, resident of Mohalla Mahal Para, Nagar Baikunthpur, Post Office Baikunthpur, Police Station & Tahsil Baikunthpur, District Korea (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Mahila Thana, Ambikapur, District Surguja (C.G.)

---- Respondent

For Applicant	:	Shri Vikas Shrivastava, Advocate
For Respondent	:	Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt Justice Rajani Dubey**Order on Board****31/08/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.25/2020, registered at Police Station - Mahila Thana, Ambikapur, District Surguja (C.G.) for the offence punishable under Sections 509(B) IPC and Sections 66(E) & 67(A) of Information Technology (Amendment) Act, 2000.
2. The prosecution story, in brief, is that the victim and the applicant acquainted through Instagram and the applicant has prepared obscene video of victim and he demanded Rs.50,000/- from the victim, failing which he will release the obscene video. Further case of the prosecution is that the victim could not arrange the amount, on which, the applicant released the obscene video. Based on this, offence has been registered. The applicant has been taken into custody on 22.06.2020.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is major girl and she herself prepared her obscene video and shared with the applicant. The applicant has not prepared any video of the prosecutrix. He also submits that the applicant is in custody since 22.06.2020, the offence is triable by the Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the present applicant is in custody since 22.06.2020, the offence is triable by Magistrate and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge