

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6112 of 2020

1. Md. Tasaouvar S/o Md. Islam Aged About 20 Years R/o Ews 1326 Dhancha Bhawan Kurud Bhilai, District Durg, (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh Through District Magistrate, Police Station Jamul, District Durg (C.G.).

---- Respondent

For Applicant	: Shri Avinash Chand Sahu, Advocate.
For Respondent/State	: Shri Dinesh R.K. Tiwari, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

02/12/2020

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 09/08/2020 in connection with offence under Sections 153(1)(A), 504 & 505(2) of IPC at Police Station Jamul, District Durg (C.G.) under Crime No. 369/2020.
- 2) Allegation against the applicant is that on 08/08/2020 at about 08:10 PM he uploaded the objectionable picture of the Prime Minister Shri Narendra Modi through social site Whatsapp on Facebook and also insulted the national Flag, the aforesaid offence has been registered against the applicant.
- 3) Learned counsel for the applicant submits that applicant has been falsely implicated in this case, nothing has been seized from the applicant. He submits that the applicant is in jail since 09/08/2020. Charge sheet has already been filed and conclusion of the trial is likely to take some time.
- 4) On the other hand, learned counsel for the respondent/State

opposes the bail application.

- 5) Heard learned counsel for the parties and perused the case dairy.
- 6) Considering the facts and circumstances of the case, the fact that the applicant is in jail since 09/08/2020, the fact that the offence is triable by Magistrate, charge sheet has already been filed, the applicant has no criminal antecedents as stated by both the counsel and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of applicant executing a personal bond for a sum of **Rs. 2,00,000/-** with two sureties of Rs. 1,00,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court, till disposal of the trial.
- 7) It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stands cancelled without further reference to the Bench.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant