

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7099 of 2020

- Vishnu Prasad Sa S/o Pitabaso Sa, Aged About 50 Years, R/o Village Barakhai Police Station Lefipara, District Sundargarh (Odisha)., District : Sundargarh, Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Office-In-Charge Police Station - Tamnar, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Ashutosh Mishra, Advocate.

For Non-applicant/State – Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-10-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 20-09-2020 in connection with Crime No.311/2020 registered at Police Station - Tamnar, District Raigarh, Chhattisgarh for the offence under Section 506, 509-B of the IPC.
2. It is submitted on behalf of the applicant that no case is made out against the applicant. The FIR lodged is totally false. In fact, the applicant and the complainant both were friends, just because of some dispute the applicant has been falsely implicated. He is in jail since 20-09-2020. Charge sheet has also been filed. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that according to the statement given by the victim, this applicant has no entitlement for grant of bail. Therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the documents.
5. As per the case, the applicant and the victim had acquaintance since 2018 and were connected through the social networking sites Facebook and

Whatsapp. It is alleged that in August 2020 this applicant prepared a fake ID of the complainant and with intent to defame her he posted her photo with comments attacking on her character. When the complainant came to know about this, she has lodged the FIR against the applicant.

6. Considering that the charge sheet has been filed and there is no requirement of continue detention of the applicant till conclusion of the trial, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge