

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7229 of 2020

- Raju Tapaali, S/o Gorang Tappaali, aged about 24 years, R/o Village Kanja Harya Mala Colony Pilibhit, P.S. Gajrola, District Pilibhit (U.P.)

---- Applicant

Versus

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

---- State/Non-applicant

For Applicant : Shri Nishi Kant Sinha, Advocate

For Non-Applicant/State : Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

25.11.2020

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 23.09.2020 in connection with Crime No. 54/2019 registered in Police Station- Mahila Thana Ambikapur, District Surguja (CG) for the offence punishable under Section 509 (B) of IPC and Sections 67 & 67 (A) of I.T. Act
2. Allegation against the applicant is that the applicant has made a fake facebook account in the name of Anju Kindo and sent obscene pictures to the facebook account of informant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 23.09.2020, charge-sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Having heard learned counsel for the parties, having regard to the facts and

circumstances of the case, the detention period of the applicant who is aged about 24 year, no previous criminal antecedents of the applicant, offence is triable by the Magistrate and the fact that charge-sheet has been filed and conclusion of the trial may take some time, without expressing any opinion 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 lacs with two local sureties of Rs.1 lac each to the satisfaction of the concerned trial Court, he 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.

6. 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 stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge