

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1557 of 2019

- Niranjan Kumar Latiya S/o Sanjeev Kumar Latiya Aged About 30 Years R/o Village Sinarbhat Kanker P.S. And Tahsil Kanker District North Bastar Kanker Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Kanker, District - North Bastar Kanker Chhattisgarh

---- Respondent

For Applicant	: Mr. Pravin Kumar Tulsyan, Advocate.
For Respondent/State	: Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

31/01/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 261/2019, registered at Police Station Kanker, Distt. North Bastar Kanker (C.G.) for the offence punishable under Sections 124 (A) & 153 (B) of the IPC.
2. As per prosecution story, on 26.07.2019, complainant Devesh Shrivastava and some other persons have lodged a complaint against the applicant in concerned Police Station alleging therein that the applicant through social media (Facebook and Whatsapp) posted objectionable comments against a particular community and also posted messages using vulgar language against the Prime Minister and Central Ministers as well as anti-slogan messages against the country. On the basis of said complaint, offence has been registered.
3. Learned Counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant is suffering from mental illness for

that his medical treatment is also going on. The Counsel further submits that the offence is triable by Judicial Magistrate First Class. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the Counsel appearing for the parties and after perusal of anti-slogan messages which have been posted by the applicant against the country. Without further commenting on other merits of the case, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Arvind Singh Chandel)
Judge