

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1762 of 2019

Dhartiraj Bandhe, S/o Emanlal Bandhe, aged about 29 years, R/o Village & Tehsil: Telasi, Police Station: Gidhpuri, Civil & Revenue District- Baloda Bazar, Bhatapara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through P.S: City Kotwali, Baloda Bazar, Civil & Revenue District: Baloda Bazar-Bhatapara (C.G.)

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate.
For Respondent/State	: Mr. Sushil Sahu, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/02/2020

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. 495/2019, registered at Police Station: City Kotwali, Baloda Bazar, District: Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 295-A of IPC and Section 67 of Information Technology Act.
2. As per the prosecution story, a written complaint was lodged by the complainant namely Abhishek Tiwari alleging therein that the Applicant has made some objectionable post on the social media site facebook. Allegedly, the Applicant made objectionable comments on Hindu God. On the basis of said offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. He submits that the Applicant had not done the said act intentionally nor he had made such post to offend any religious beliefs, he had deleted the said post then and there itself and also given a letter of apology to the concerned police station, therefore, he prays for grant of anticipatory bail to the Applicant.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, arguments advanced by counsel for the parties and particularly considering the fact that the Applicant had given the letter of apology to the concerned police station, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge