

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7314 of 2019**

- Pitamber Dhruv S/o Late Sheshnarayan Dhruv Aged About 26 Years, R/o Village Pacheda, P. S. Abhanpur, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : District Magistrate Raipur, District : Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Amikant Tiwari, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 105/2019 registered at Police Station-Bhakhara, District - Dhamtari (C.G.) for the offence punishable under Sections 509 (B) of the IPC, 67 of I.T. Act and 11, 12 of Protection of Children from Sexual Offences Act.
2. The prosecution story, is that the prosecutrix filed a written complaint that an unknown person by using her name and photo created a face-book account and uploaded certain objectionable video clips of the prosecutrix. After investigation a mobile phone was seized from the present applicant. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the age of the prosecutrix is above 17 years and the applicant is in jail since 12.10.2019, there is no likelihood of

his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the prosecutrix is above 17 years old and the applicant is in jail since 12.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**