

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7741 of 2019**

1. Pravin Gupta S/o Bihari Lal Gupta Aged About 25 Years R/o Mahavirganj, Police Chowki, Vijay Nagar, Police Station Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.
2. Amresh Raj Gupta S/o Bihari Lal Gupta Aged About 24 Years R/o Mahavirganj, Police Chowki, Vijay Nagar, Police Station Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Arun Kumar Shukla, Advocate.
For Respondent	:	Mr. Vinod kumar Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.01.2020**

- The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 190/2019 registered at Police Station -Ramanujganj, District Balrampur Ramanujganj (C.G.) for the offence punishable under Sections 259(A), 153(A) of IPC and Section 66 (A) of Information Technology Act.
- The prosecution story in nutshell is that, complainant Intekhab Ansari lodged a written report before the concern Police Station alleging that the present applicants have prepared a song in which the contents are against the Muslim custom, religion and sacred places which has hurt the muslim community. Based on this, after completion of investigation, offence has been registered against the applicants and they have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are in jail since 06.11.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the fact that offence is triable by Judicial Magistrate First Class, as 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 applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu