

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7769 of 2019**

- Umesh Agrawal son of Shri Ramulal Agrawal, aged about 24 years, R/o village Baramkela, P.S. & Tah. Baramkela, District Raigarh, Civil and Revenue District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station - Baramkela, District Raigarh (C.G.)

---- Respondent

For Applicant	:	Shri Manoj Kumar Sinha, Adv.
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****16/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.189/2018, registered at Police Station - Baramkela, District Raigarh (C.G.) for the offence punishable under Section 509-B IPC and Section 67-A of Information Technology (Amendment), Act 2008.
2. The allegation against the present applicant is that he sent some obscene messages of sister of complainant to his phone number. Based on this, offence has been registered. The present applicant has been taken into custody on 11.11.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no incriminating material against the applicant to prove that the said messages were sent by him. He also submits that the applicant is in custody since

11.11.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 11.11.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge