

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2606 of 2021**

Golu Rai, Son of Dhunmun Rai, aged about 21 years, R/o. Ward No. 06, Jagdishpur, Police Station Bhojpur, District Ara (Bihar).

---- Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police Station Ambikapur, District Sarguja (Chhattisgarh).

---- Respondent

For Applicant	: Mr. D.N. Prajapati, Advocate
For Respondent/State	: Mr. Sameer Uraon, Govt. Advocate
For Complainant	: Mr. D. Kushwaha, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board**

08/06/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.125/2021, registered at Police Station – Ambikapur, District – Sarguja (C.G.) for the offence punishable under Section 509 (B) of the Indian Penal Code, Section 11/12 of Protection of Children from Sexual Offences Act and Section 66 (D) of Information Technology Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. False FIR has been lodged because of some misunderstanding. Engagement was being negotiated of the applicant with the victim. The complainant side has no objection in grant of bail to the applicant. The applicant is in jail

since 19.03.2021. Hence, it is prayed that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the nature of the allegation against this applicant is of very serious nature and there is sufficient evidence present against this applicant, therefore, the applicant is not entitled to be released on bail.
4. Counsel for the complainant submits that complainant has no objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, it is alleged that the marriage of the applicant with minor victim was being negotiated, during which, the applicant got acquainted with the minor victim and clicked some obscene photographs of the victim on his mobile phone. Subsequent to this, the applicant started threatening the minor victim on the basis of the photographs in his possession, stating that he will make the photographs viral in social media. Hence, FIR was lodged.
7. Considered on the submissions. As the investigation in this case has been completed, there appears to be no requirement to keep the applicant in continuous detention, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram