

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6170 of 2021

- Narendra Kumar Rajwade @ Bablu, S/o Karan Sai Rajwade, Aged About 32 Years, Caste Rajwade, R/o Nunera, Police Station Patna, District Korea Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Police Station Pathalgaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

----Non-applicant

For Applicant – Shri R.V. Ram Rajwade, Advocate.

For Non-applicant/State – Shri Ajay Kumarani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-09-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 18-07-2021 in connection with Crime No.79/2021 registered at P.S. - Pathalgaon, District Jashpur, Chhattisgarh for the offence under Section 354 (ग), 509 (बी) of the IPC and Section 12 of the Protection of Children from Sexual Offences Act and Section 67 A of I.T. Act.
2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 18-07-2021. Charge sheet has been filed and some of the witnesses have also been examined. The allegations against the applicant are totally false and baseless. Therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is clear evidence present that this applicant is the person who has committed offence of voyeurism and the offence under I.T. Act. Therefore, he is not entitled for grant of bail.
4. Father of the victim Sahadur Kujur is virtually present through the Help

Desk of DLSA Jashpur. He has objection in grant of bail to the applicant.

5. Heard learned counsel for the parties and perused the case diary.

6. According to the prosecution case, the applicant send a friend request on Facebook to the minor victim of age 12 years and 10 months from a fake ID, who by mistake allowed the request. It is alleged that this applicant then posted a morphed photograph of the minor victim showing her face with a nude body. The applicant then continued threatening the minor victim to continue with him in the Facebook platform. Subsequent to which, the FIR has been lodged. During the investigation seizure of applicant's mobile was made, from which it was disclosed that he was the person who owned the fake ID and was posting the obscene photographs on the Facebook platform.

7. Considered on the submissions. As the case is now pending for trial and there appears to be no requirement to keep the applicant in continued detention, therefore, I feel inclined to allow this application.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge