

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**MCRCA No. 961 of 2021**

- Ajit Patkar S/o Shri Ramchandra Patkar, aged about 42 years, R/o village Barbaspur, Police Station Podi, Tahsil Manendragarh, District Koriya, Chhattisgarh

-----Applicant**VERSUS**

- State of Chhattisgarh through: Station House Officer, Police Station Podi, District Koriya, Chhattisgarh

-----Non-applicant

For Applicant	: Mr. Anil Gulati, Adv.
For Non-applicant- State	: Mr. B.L. Sahu, Panel Lawyer

*(proceedings through video conferencing)***Hon'ble Shri Parth Prateem Sahu, Judge****ORDER****18/08/2021**

1. Applicant has preferred this application under Section 438 of CrPC for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 63/2021 registered at Police Station Podi, District- Koriya (C.G.) for the offence punishable under Sections 507, 509 (B) of IPC.
2. As per the case of prosecution, present applicant has flashed one message on social media platform using some indecent words indicating against a lady. The information with regard to message was given by Saavan Kumar who is Sarpanch of village panchayat Barbaspur. After getting the information, complaint was lodged to the concerned police station, based on which, instant crime is registered against the present applicant.
3. Mr. Anil Gulati, learned counsel for the applicant would submit that

the message is not addressed to any person and from the contents of the message it cannot be said that the message is with respect to any person in particular. Applicant is a press reporter and journalist, he has made several reports against the members of village panchayat of that area, hence the applicant has been implicated in the false case. He submits that the applicant is ready to abide by all the conditions and to co-operate in the investigation as and when his presence is required.

4. On the other hand, Mr. B.L. Sahu, learned State counsel opposes the submissions made by learned counsel for the applicant and submits that the allegation levelled against the present applicant is serious in nature. Applicant tried to outrage the modesty of a person, he read-over the contents of message and submits that the applicant is not entitled for grant of anticipatory bail.
5. I have heard learned counsel for the respective parties.
6. Taking into consideration, the nature of allegation levelled in the F.I.R. as well as the fact that the message was not addressed naming any person in particular or sent to any person in private, without commenting anything on merits of the case, I am inclined to allow the bail application.
7. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the crime in question (63/2021), he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

- (i) that the applicant shall make himself available for interrogation before the Investigation Officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Parth Prateem Sahu)
Judge