

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6312 of 2021

1. Pooja Yadav D/o Sanjay Yadav, Aged About 19 Years, R/o Tikrapara, Godripara, Chirmiri, Police Station And Tahsil Chirmiri, District Korea (C.G).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station Chirmiri, District Korea (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Sanjeev Verma, Advocate.
For Non-Applicant/State	:	Mr. Shrestha Gupta, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

21/09/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as she is in jail since 31/07/2021 in connection with Crime No. 148/2021 registered at Police Station Chirmiri, District Korea (C.G.) for the offence punishable under Sections 509(b)/34 of Indian Penal Code.
- 2) Allegation against the present applicant is that she alongwith other co-accused namely Lalit Kumar and Anchal Gwale made a fake ID in Instagram of complainant Deepak Kumar Sahu in the name of Ayushi, made obscene, objectionable and abusive comments on the pictures of the relatives of the complainant and other women/girls and also sent obscene photographs to his friends. On report being lodged to the above effect, the aforesaid offences has been registered against the accused persons.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the applicant has been arrested on 31/07/2021. He submits that the applicant has no criminal antecedents and there is no apprehension of the applicant tampering with the evidence or absconding and trial is likely to take some time for its disposal. Therefore, the applicant be

released on bail.

- 4) On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedents.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation against the present applicant, the detention period of the applicant who is 19 years old, the offence is triable by Magistrate, the fact that the applicant has no criminal antecedents and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and that conclusion of trial may take some time due to COVID-19 Pandemic, the application is **allowed**. It is directed that in the event of the applicant executing a personal **bond** for a sum of **Rs. 2,00,000/-** with two sureties of Rs. 1,00,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-
 - i. she 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 from disclosing such fact to the Court,
 - ii. she shall not act in any manner which will be prejudicial to fair and expeditious trial,
 - iii. she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial,
 - iv. she shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority,
 - v. she shall not involve herself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving herself in similar offence in future.

-Sd/-
(Gautam Chourdiya)
Judge