

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8718 of 2020**

*Shubham Sahu, S/o Umesh Kumar Sahu, Aged about -22 years, R/o Banjari Chowk,
In front of Shree Rama Janki Complex, S N Complex, PS Gol Bazar, Raipur, Distt.
Raipur (C.G.)*

---- Applicant**Versus**

*State of Chhattisgarh, Through Officer-in-charge Police Station – Gol Bazar, Distt.
Raipur (C.G.)*

----Non-applicant

*For Applicant : Mr. Ishan Verma, Advocate.
For Non-applicant/State : Ms. Anjali Singh Chouhan, PL*

Hon'ble Smt. Justice Rajani Dubey**Order On Board****01/04/2021**

(1) *The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 75/2020 registered at police Station Gol Bazar, Distt. Raipur (C.G.) for the offence punishable under Sections 67, 67-A, 67-B of the Information Technology Act, 2000.*

(2) *Case of the prosecution, in brief, is that under the C.C.P.W.C. Scheme, it was found that some obscene and objectionable materials were circulated and made viral through social media by the applicant. Based on this, aforesaid offences have been registered against the applicant.*

(3) *Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence and on the basis of some doubt and revenge, he has been arrested and prosecuted for the alleged offences. He further*

submit that applicant is in detention since 15.10.2020 and there is no likelihood of his case being decided in near future, therefore, the applicant may be released on bail.

(4) On the other hand, Counsel for the State, while opposing the bail applicant, submits that the manner in which the offence is said to have been committed, the applicant is not entitled to be released on bail.

(5) I have heard learned counsel for the parties and perused the case diary.

(6) Taking into consideration the facts & circumstances of the case; further considering the fact that applicant is in detention since 15.10.2020, the trial is likely to take some time for its final disposal and no useful purpose would be served in further detaining him in jail; without further commenting on merits; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Accused/applicant is directed to be released on bail 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 trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

*(Rajani Dubey)
Judge*

amita/-