

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. (A) No. 1304 of 2021**

Reyaj Ahmad, son of late Kamaluddin, aged about 50 years, Residence of village Kharakona (Beejapara), Thana and Tahsil Lundra, District Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through, Police Station – Lundra, District – Surguja (C.G.)

----Non-applicant

For Applicant	:	Mr. Vikash Kumar Pandey, Advocate.
For Non-applicant	:	Mr. Vaibhav K. Agrawal, Panel Lawyer.

Hon'ble Mr. Justice N.K. Chandravanshi

Order On Board

25-11-2021

(1) The applicants has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 29/2019 registered at police station Lundra, District Surguja (C.G.) for the offences punishable under Sections 509, 506 & 34 of Indian Penal Code & Sections 66 (E) & 67 (A) of the Information Technology Act, 2000.

(2) Case of the prosecution, in brief, is that 8.3.2019 applicant took the obscene photographs of the victim/prosecutrix covertly and thereafter made it viral in the social media through his mobile and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the crime in question as he has not committed the alleged crime. He would next submit that neither applicant has taken any obscene photographs of the complainant nor he has made it viral through his mobile, therefore, the applicant may be extended the benefit of Section 438 of the Cr.P.C.

(4) On the other hand, learned counsel for the State vehemently opposes the anticipatory bail application filed by the applicant.

(5) I have heard learned counsel appearing for the parties and perused the case diary as well as material available on record.

(6) Looking to the nature and gravity of the offence, in particular, the material collected by the prosecution against the applicant and the manner in which the offence is said to have been committed by the applicant, I am of the view that it is not a fit case to extend the benefit of anticipatory bail to the applicant. Thus, the anticipatory bail application filed by the applicant is hereby rejected.

Sd/-

(N.K.Chandravanshi)

Judge

D/-

