

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 9210 of 2020**

Tarun Kumar Sahu S/o Madan Lal Sahu Aged About 21 Years House No. 401, Foolwari Mohalla, Sarkhon, PS- Naila, Dist.- Janjgir-Champa, Chhattisgarh, Pin- 495668.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Durg, District Durg, Chhattisgarh.

**---- Respondent**


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|--------------------------|---|-----------------------------------|
| For the Applicant        | : | Shri Gary Mukhopadhyay, Advocate. |
| For the Respondent/State | : | Shri B.P. Banjare, G.A.           |
| For the Objector         | : | Shri Ravindra Sharma, Advocate.   |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****29.01.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.1072 of 2019, registered at Police Station – Durg, District – Durg, Chhattisgarh for the offence punishable under Sections 509B and 506 of the Indian Penal Code, Section 11 (V) of the Protection of Children from Sexual Offences Act, 2012 and Section 67 of the Information and Technology Act, 2000.

2. Learned counsel for the applicant submits that the applicant is in jail since 7.11.2020 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. There is no

such allegation against the applicant that he had made viral the personal photographs of the victim. The only act he has done as alleged is about sending the photographs on mobile phone of the sister of the victim. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that according to the statement of the victim herself the case is clearly made out against the applicant regarding the commission of offences registered against him. Hence, for these reasons, the applicant is not entitled for grant of bail.

4. Rakesh Shukla is present on behalf of the complainant before this Court alongwith Shri Ravindra Sharma, Advocate. He has stated that he has no objection in grant of bail to the applicant.

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

6. The prosecution case is that the applicant and the victim both were having acquaintance with each other. On request of the applicant, the victim provided her photographs to the applicant in which she was scantily dressed. Subsequently, when the relation of the applicant and the victim was no longer intimate, the applicant started threatening and harassing the minor victim and ultimately, he send the personal photographs of the minor victim to her sister. Subsequent to that, the FIR has been lodged.

7. Considered the submissions and the facts present in this case. The applicant is in jail since about three months, the charge-sheet has been filed and further, there is no objection from the complainant's side for grant of bail to the applicant. Hence, for these reasons, I feel inclined to grant regular bail to the applicant.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge