

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2564 of 2023**

Bhupendra Vishwakarma S/o Lakhan Vishwakarma, R/o Gali No.- 03, House No. 4/316, Samata Colony, Raipur, District- Raipur, Chhattisgarh, Correct Details- Bhupendra Vishwakarma @ Bittu S/o Late Shri Lakhan Lal Vishwakarma, Aged About 26 Years, R/o Amapara, Bajranjg Nagar, Gali No.03, Police Station- Azad Chowk, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer- Police Station Azad Chowk, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant - Shri Satish Gupta, Advocate on behalf of Shri Rajnish Singh Baghel, Advocate.
For Respondent/State - Ms. Usha Chandrakar, Panel Lawyer.

Hon'ble Justice Shri N.K. Chandravanshi**Order on Board****21-04-2023**

1. Heard on I.A. No.1/2023, application for grant of ad-interim bail.
2. On due consideration, the same is dismissed.
3. With the consent of both the parties, the matter is being heard finally.
4. The applicant has preferred the first bail application under Section 439 of the Cr.P.C. for grant of regular bail, as he has been arrested in connection with Crime No.27/2023, registered at Police Station- Azad Chowk, District- Raipur (C.G.) for the offence punishable under Section 67, 67-B of the Information Technology Act, 2008 and Section 201 of the Indian Penal Code.
5. Allegation against the applicant is that on 05-05-2021, the applicant uploaded obscene video of sexual act of women and child in Instagram through his mobile. Based on above facts, present crime was registered against the applicant.

6. Learned counsel appearing for the applicant submits that the applicant is innocent, he has been falsely implicated in the present case and he is in custody since 25-02-2023. He further submits that the offence registered against the applicant are punishable maximum for five years and this is the first crime registered against him, charge sheet has been filed, hence, the applicant may be enlarged on bail.
7. Per contra, learned counsel for the State oppose the bail application filed by the applicant. She further submits that, as per case diary, no criminal antecedent has been shown against the applicant.
8. Considered the submissions and perused the case diary.
9. Considering the entire facts and circumstances of the case, material available on record, particularly considering the period of detention and as charge sheet has already been filed, I feel inclined to release the applicant on bail.
10. Accordingly, the present bail application is allowed. It is directed that if the applicant furnishes one personal bond of Rs.25,000/- along with one surety for like sum to the satisfaction of the trial Court for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

SD/-

(N.K. Chandravanshi)

Judge

Amardeep