

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 255 of 2023**

1. Bhupendra Patel S/o Govind Patel Aged About 27 Years R/o Village Masulgondi, Thana - Parpodi, District Bemetara Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station- Parpodi, District - Bemetara Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Arvind Prasad, Advocate.
For Non-Applicant : Shri BL Sahu, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****13/04/2023**

1. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.8/2023 registered in Police Station Parpodi District Bemetara for offence under Section 67 (B) of the Information Technology Act, 2000 and Section 14 of Protection of Children from Sexual Offences Act, 2012.
2. Prosecution case is that on the basis of inputs received from NCRB, New Delhi, Police Station Parpodi lodged an FIR against the present applicant that on 21.1.2021, he has uploaded obscene videos of women and children in the Instagram Social Media.

3. Learned counsel for the applicant would submit that the applicant is innocent and he has not uploaded any obscene video and someone else might have prepared fake Instagram id. The applicant is a young boy aged about 27 years and he has no criminal past. If the applicant is arrested, his entire career would be ruined. There is no chance of absconding or tampering with the prosecution evidence, as the evidence has already been collected and the applicant is ready to cooperate and join the investigation.
4. On the other hand, learned State Counsel would oppose the bail application, however, he fairly admits that necessary evidence has already been collected and no custodial interrogation is required.
5. Considering the submissions of the parties, particularly considering the backdrop of the case and the fact that report has been lodged belatedly, as the incident happened on 21.1.2021 whereas the report was lodged after 2 years on 17.1.2023, further considering the age of the applicant and that he has no criminal past, this Court is inclined to release the applicant on anticipatory bail.
6. Accordingly, the Application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) he shall not influence the witnesses during trial.
 - (ii) he shall make himself available for interrogation by a

police officer as and when required;

(iii) he 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 facts to the Court or to any police officer.

Sd/-
(Deepak Kumar Tiwari)
Judge

Barve