

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Order Sheet****Proceedings through Video Conferencing****MCRC No. 2266 of 2021**

- Ravi Shankar Bhagat S/o Late Maniya Ram Bhagat Aged About 26 Years Caste- Uraon, R/o Kharsota, Chowki- Manora, Police Station- Jashpur, Tahsil And District- Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Jashpur, District- Jashpur (Wrongly Mentioned As Police Station, Manora), Chhattisgarh

---- Non-applicant

 For Applicant : Shri Sanjeev Sahu, Adv.
 For respondent/State : Shri Anand Sharma, Dy. Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****31-5-2021**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 15-1-2021 in connection with Crime No. 15/2021 registered at Police Station Jashpur Distt. Jashpur (C.G.), for the offence punishable under Sections 376, 509 (B) of the Indian Penal Code and Section 67, 67(A) of the Information Technology Act.

2. Case of the prosecution, in brief, is that, before marriage of the prosecutrix, the prosecutrix had love affairs with the applicant. After marriage the prosecutrix stopped talking to him. In the month of July 2020 when husband of the prosecutrix had gone out for work, applicant telephoned her and called her near school. When she went near school on fear, the applicant forcibly undressed her

and made physical relation with her and made a video. He used to threat her that he will make the video viral. On 1-12-2020 the applicant sent the video through Whatsap to one Basant to make it viral. Basant sent the same to husband of the prosecutrix through Whatsap. Thereafter offence under Section 15/2021 under Section 376, 509(B) of the IPC and Sections 67 and 67(A) of the IT Act has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated by the complainant due to previous enmity. The prosecutrix is a 30 years old lady and she is a consenting party. He further submits that the applicant is in jail since 15-1-2021, charge sheet has already been filed, he will not abscond if bail is granted to him, therefore, present applicant may also be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion, as per submission of the counsel for the applicant that he will not abscond, charge sheet has already been filed, without further commenting on merits of the case, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 50,000/- with one local surety in the like amount to the satisfaction

of the concerned trial Court. He shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

7. In view of above order, I.A. No. 1/2021 for urgent hearing, I.A. No. 2/2021 for listing the case during summer vacation stand disposed of.

Certified copy as per rules.

**Sd/-
(NK Chandravanshi)
VACATION JUDGE**

Pathak/-