

1  
**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE VISHAL DHAGAT  
ON THE 17<sup>th</sup> OF OCTOBER, 2023  
MISC. CRIMINAL CASE No. 42747 of 2023**

**BETWEEN:-**

**SOURABH KUMAR CHATURVEDI S/O SHRI HANUMAN PRASAD CHATURVEDI, AGED ABOUT 29 YEARS, OCCUPATION: AGRICULTURIST, R/O RAILWAY, COLONY BURHAR, DISTRICT SHAHDOL (MADHYA PRADESH)**

**.....APPLICANT**

***(BY SHRI PRAKASH UPADHYAY - ADVOCATE)***

**AND**

**THE STATE OF MADHYA PRADESH THROUGH P.S. AMLAI, DISTRICT SHAHDOL (MADHYA PRADESH)**

**.....RESPONDENT**

***(BY SHRI SANTOSH YADAV - DEPUTY GOVT. ADVOCATE)***

*This application coming on for admission this day, the court passed the following:*

**ORDER**

This is the second application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to FIR No.203/2023, registered at Police Station Amlai, District Shahdol (M.P.) for the offences under Sections 354, 354(A), 354(D), 386 and 506 of Indian Penal Code, under Section 7/8, 11/12 of POCSO Act and under Section 67 of I.T. Act.

2. Learned counsel appearing for the applicant submitted that applicant has not committed any rape on prosecutrix and prosecution case is not under

Section 376 of IPC. Only allegation against the applicant is that he has taken indecent photo of prosecutrix on his mobile phone and has tried to extort money. It is submitted that applicant is in jail since 26.05.2023. Considering the long period of custody and facts of the case, applicant be released on bail.

3. Learned Government Advocate appearing for the State opposed the application for grant of bail. It is submitted that applicant was blackmailing the prosecutrix taking advantage of indecent photo which he was having. In these circumstances, applicant may not be released on bail.

4. Heard the counsel for the parties.

5. There is no allegation of rape being committed by applicant on prosecutrix. Prosecutrix is aged about 16 years. There is no allegation that there was any delivery of property due to threat of defamation by complainant to applicant. Investigation is complete and charge-sheet has been filed. Applicant is in jail since 26.05.2023. Applicant does not have any criminal record.

6. Considering aforesaid circumstances of the case, bail application filed by applicant is **allowed**.

7. It is directed that applicant be released on bail on his furnishing personal bond of **Rs. 50,000/- (Rs. Fifty Thousand only)** with a solvent surety in the like amount to the satisfaction of the trial court for his regular appearance before concerned Court on all such dates as may be fixed in this regard during pendency of trial.

8. The applicant shall abide by the following conditions of Section 437 (3) of Cr. P. C. as under:-

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter;

(b) that such person shall not commit any offence similar to the offence

of which he is accused, or suspected of the commission of which he is suspected and;

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. C.C. as per rules.

sp/-



**(VISHAL DHAGAT)**  
**JUDGE**