

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4060 of 2015**

- Vijay Kumar Pandey, Age 42 years, S/o Shri Jagdish Pande, R/o Somwari Bazar, Qr. No.1C/10 BankiMongra Tahsil- Kathghora, Revenue & Civil Distt – Korba (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through- Police Station – Bankimongra, District Korba (C.G.)

---- Non-applicant

For Applicant: Mr. Sandeep Dubey, Advocate.
For Non-applicant/State: Mr. Lov Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****18/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 70/15 registered at Police Station Bankimongra, District – Korba (C.G.) for the offences punishable under Sections 354 of the Indian Penal Code and Sections 7 & 8 of Protection of Children from Sexual Offence Act, 2012.

(2) Case of the prosecution, in brief, is that on 24.04.2015 applicant outraged the modesty of minor prosecutrix and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that there is delay of about 23 days in lodging the First Information Report as incident had occurred on 24.04.2015 whereas FIR has been lodged on 16.05.2015; applicant is in jail since 21.07.2015; and the charge sheet has already been filed; and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 21.07.2015; charge sheet has already been filed against the applicant; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-