

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4693 OF 2015**

Kamal Prasad Patade aged 55 yrs, S/o Shri Mahadeo Rao Principal :
Kendriya Vidyalaya Kanker Thana : Kanker Distt.-Uttar-Baster : Kanker CG

---Applicant**Versus**

State of Chhattisgarh Through : Police Station Kanker Distt. Uttar Baster :
Kanker CG

---Non-applicant

For Applicant	:	Mr. Anurag Dayal Shrivstava, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 289/2015, registered at Police Station Kanker, Distt. Uttar-Baster, Kanker C.G., for the offence punishable under Sections 377/511, 506-B of Indian Penal Code, 1860 and Sections 4, 6 and 21(2) of the Protection of Children from Sexual Offences Act, 2012 (in short 'Act, 2012').

2. Case of the prosecution, in brief, is that, present applicant while working as Principal, Kendriya Vidyalaya, Kanker failed to report the offence under Sections 377, 511 and 506-B of the Indian Penal Code to the Police Station, Kanker and thereby committed offence under Section 21(2) of the Act, 2012.

3. Learned counsel for the applicant would submit that alleged non

reporting of offence under Section 19(1) of the Act, 2012 is punishable under Section 21(2) of the Act, 2012 and the punishment prescribed for the said offence is one year with fine. He would further submit that applicant is in jail since 21/08/2015 and the said offence is bailable offence in which he is entitled for grant of bail as a matter of right.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and particularly considering that the allegation against applicant for offence under Section 21(2) of the Act, 2012 and said offence is bailable offence, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE