

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3703 of 2015**

- Mohammad Naved, S/o Matim, aged about 20 years, R/o Chandmari, Raigarh, Tahsil & District Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: through Station House Officer, Police Station City Kotwali, Raigarh, District Raigarh (C.G.)

---- Non-applicant

For Applicant: Mr. Ashish Gupta, Advocate.
For Respondent/State: Mr. Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

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. 277/2015 registered at Police Station – City Kotwali, Raigarh, District Raigarh for the offences punishable under Sections 354, 354(B), 327/34 of the Indian Penal Code & Section 8 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution is that on 23.2.2015 applicant outraged the modesty of the victim and sexually harassed her and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that there is delay of

more than one month in lodging the First Information Report as the incident has occurred on 23.02.2015 whereas FIR has been lodged 4.4.2015 without any explanation. He further submits that the applicant is in jail since 03.07.2015 and the substantial investigation has already been made and, therefore, he may be released on bail.

(4) On the other hand, learned 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 03.07.2015; and the substantial investigation has already been made; 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 by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-