

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2990 of 2018

- Rajesh Pawar S/o Yashwant Pawar, Aged About 50 Years, R/o- Hal Pawar Navodey Vidhalaya, Ranitarai, P.S.- Devri, District- Balod, Chhattisgarh. Permanent Address- R/o- Ganeshpur, P.S.- Lalbarra, District- Balaghat (M.P.), District : Balaghat, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S. Devri, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

----Non-applicant

For Applicant – Shri H.S. Ahluwalia, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. by the applicant for grant of regular bail. The applicant has been arrested on 09-09-2017 in connection with Crime No.102/2017 registered at P.S. - Devri, District- Balod, Chhattisgarh for the offence under Section 354(a)(1), 342 of the IPC & Section 7, 8 of Protection of Children from Sexual Offences Act & Section 3(1) (b) of SC & ST (Prevention of Atrocities) Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 09-09-2017. This is second application for grant of bail filed by the applicant before this Court, his earlier bail application filed before this Court was dismissed as withdrawn with liberty to revive the same after two months. It is further submitted that trial against the applicant is still not concluded and out of 18 witnesses in the list of prosecution so far only 2 witnesses have been examined. Hence, looking to the delay in conclusion of the trial, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, this applicant is Director of Navodey Vidhalaya, Ranitarai under the jurisdiction of P.S. Devri, Distt. Balod. The allegation made by the victim aged about 15 years against this applicant is this, that this applicant has outraged her modesty by touching her body. Hence, this case.

6. After considering on the material present in the case diary and looking to the delay in conclusion of the trial, I am of this view that the applicant should be granted regular bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge