

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3088 of 2018**

- Yogendra Banjare @ Honey S/o Dharmendra Banjare Aged About 26 Years R/o Bishrampur, Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through: Station House Office, Police Station Simga, District Baloda Bazar, Chhattisgarh.

---Non-applicant

For Applicant	:	Shri A.S. Rajput, Advocate
For Non-applicant	:	Shri D.R. Minz, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14.06.2018**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.10 of 2018, registered at Police Station-Simga, District- Baloda Bazar (CG), for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4, 6 of the Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that, the applicant committed sexual intercourse with the minor prosecutrix, thereby, committed the offence.

3. Learned counsel for the applicant would submit that the offence is said to have been committed on 23.12.2016 whereas the FIR was lodged on 10.01.2018, on the date of incident the prosecutrix was

major. He has been arrested on 11.01.2018. There is delay of more than one year in lodging the FIR which has not been explained. Charge-sheet has been filed.

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

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

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, pre-trial detention, delay in lodging the FIR, I consider it a fit case for grant of regular bail.

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

8. 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
V. JUDGE

kkd