

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4165 of 2018**

1. Krishna Kumar yadav son of Shri Laxman Yadav, aged about 32 years, R/o Village Jaraudha, PS Takhatpur, District Bilaspur, C G

---- Applicant**Versus**

1. State of Chhattisgarh through Police Station Incharge PS Takhatpur, District Bilaspur, CG

---- Respondent

For Applicant	-	Shri Bhupendra Singh, Advocate
For State	-	Shri Vivek Sharma GA

Order on Board by Hon'ble Shri Justice Pritinker Diwaker**02/07/2018**

This application under Section 439 of the Code of Criminal Procedure has been filed by the applicant who is in custody in connection with Crime No. 24/2018 registered at Police Station Takhatpur, for commission of the offences punishable under Sections 376, 450 IPC and Section 4 of POCSO Act.

2. Case of the prosecution in short is that on 28.8.2017 the applicant committed rape on the minor prosecutrix aged about 16 years.

3. Counsel for the applicant submits that allegedly the incident had taken place on 28.8.2017 whereas the report has been lodged on 11.1.2018 and this inordinate delay in lodging the report has not been explained by the prosecution.

3. State counsel however opposes the application for bail.

4. Considering the facts and circumstances of the case, nature of allegation made against the applicant, unexplained inordinate delay in lodging the FIR and that the applicant is in jail since 12.1.2018, this Court is of the opinion that it is a fit case to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on

his furnishing a bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before that Court as and when directed.

Sd/-

(Pritinker Diwaker)
Judge

Jyotishi