

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8121 of 2019**

Tikesh Vastrakar, son of late Ram Kumar Vastrakar, aged about 24 years, resident of village Piparchhedi, District Gariyaband (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through : Station House Officer, police station Piparchhedi, District Gariyaband (C.G.)

----Non-applicant

For Applicant	: Mr. A.D. Kuldeep, Advocate.
For Non-applicant	: Mr. Anurag Verma, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****03/02/2020**

(1) The accused/applicant has preferred 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. 12/2019 registered at police Station Piparchhedi, Civil & Revenue District Gariyaband for the offence punishable under Sections 354 (क), (1), (2), (4), 354 (घ) and 509 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution is that applicant has used to filthy language with the complainant and he has been arrested on 30.09.2019 in connection with the aforesaid offences and since then he is in custody.

(3) Counsel for the applicant submits that there is delay of 16 days in lodging the First Information Report and the said delay of 16 days has not been explained properly and the

applicant has been arrested on 30.09.2019. He further submits that the charge sheet has already been filed; no custodial interrogation is required and trial is likely to take some time for its final disposal, therefore, he may be released on bail.

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

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) 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 30.09.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) 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 to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

