

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1826 of 2017**

- Manoj Kumar Ratre S/o Toplal, Aged About 21 Years R/o Village Lawsara Police Station Baradwar Tahsil Sakti Civil And Revenue District Janjgir Champa Chhattigarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station House Officer, Baradwar District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	: Shri B.M. Roy, Advocate
For Respondent/State	: Shri NK Mehta, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****03/4/2017**

Heard the matter finally.

2. 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. 288/2016 registered at Police Station Baradwar, Distt. Janjgir Champa for the offence punishable under Sections 363, 366 & 376 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned counsel for the applicant submits that the charge sheet has been filed on 10.11.2016 and the matter is pending before the 1st Additional Sessions Judge, Sakti, District Janjgir Champa (CG) registered as S.T. No. 2/2017. Statement of the prosecutrix was recorded before the trial Court and in the said

statement, she turned hostile and also as per cross examination para 5, the prosecutrix was major as per her oral evidence, hence, the applicant may be enlarged on bail.

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

5. I have heard the counsel for the parties and perused the material.

6. As a settled law this is not the forum to value the contents came as evidence of the prosecutrix before the trial Court even apart, the trial is commenced. On account of material collected the applicant is facing trial in the aforementioned offences.

7. On due consideration on the basis of material collected by the prosecution against the applicant, I am not inclined to grant bail to the applicant.

8. Consequently, instant MCRC is dismissed.

Certified copy as per rules.

**Sd/
(Chandra Bhushan Bajpai)
JUDGE**