

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2010 of 2017**

Phoolchand Choudhary S/o Late Shri Govind Chaudhary Aged About 59 Years R/o Kendriya Vidyalaya Premises, Ground Floor, Type 2, B M Y Charoda, Police Station G R P Bhilai 3, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg, Tehsil & District Durg, Chhattisgarh.

---- Respondent

For applicant	Mr. Ranbir Singh Marhas, Adv.
For Respondent/State	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****4/8/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 30-10-2016 in connection with Crime No. 97/2016 registered in Out Post Charoda, PS GRP Bhilai-3, Distt. Durg for offence punishable under Section 376 sub-section (2)(f) (m) of the Indian Penal Code, 1860 and Section 3, 4, 6, 9 and 10 of the Protection of Children from Sexual Offences Act, 2012 (in brevity 'Act of 2012').
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed and the matter is pending before the Additional Session Judge (FTC)/Special Judge under the Act of 2012, Durg as Special Criminal Case (Act of 2012), No. 165/2016. He submits that the applicant is falsely implicated, he is innocent, aged about 59 years. He will not abscond. He may be granted bail during trial.
4. Per contra, learned counsel for the respondent/State opposes

the arguments advanced on behalf of the applicant.

5. Perused the entire matter.
6. Looking to the age of the prosecutrix and other facts, evidence collected and surfaced in the charge sheet, I am not inclined to grant bail to the applicant.
7. Consequently, instant MCRC is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Pathak