

IN THE SPECIAL (POCSO) COURT, AT AHMEDABAD**CRIMINAL MISC. APPLICATION NO. 1034 OF 2022
(In Special (POCSO) Case No.97/2021)**

Applicant : Mukeshbhai Danabhai Parmar

Versus

Opponent : The State of Gujarat

PRESENT :

Mr. M.M.Ansari, learned Advocate for Accused/Applicant.

Mrs. M.R.Bhatt, learned APP for the Opponent/ State

ORDER BELOW EXH.1

1. Accused Mukeshbhai Danabhai Parmar has moved this application for interim bail of 30 days in connection with FIR being (PART-A) I-CR No.11191023210177/2021 registered with Vadaj Police Station for the offences punishable under Sections 354(D), 354(A)(1)(i), 506(1), 114 of the Indian Penal Code ('IPC' for short) and Sections 7, 8, 11(4), 16, 17 & 18 of the POCSO Act.
2. Upon notice, learned APP has filed reply vide Exh.6. Original complainant has remained present.
3. I have heard learned Advocates for both the parties and perused the record.
4. It has been contended by the learned Advocate for

accused-applicant that accused is in the custody for the last one year and there is nobody at home to take care of his old parents. It has been further contended that some of the witnesses have not supported the case of the prosecution, which reveals that false case has been planted. He has prayed to allow this application for interim bail on humanitarian ground, so that accused may provide succour (assistance) to his family who is living in a miserable condition.

5. On the other hand, learned APP has opposed by contending that entire evidence has been led and victim has supported the case of prosecution. She further contended that accused will not appear during the hearing of this case and trial will be delayed. In the end she prayed to reject this application as no case is made out on humanitarian ground.

6. It is added here that entire evidence has been led by the prosecution. Learned Advocate for the accused-applicant had moved application under section 311 of the CrPC for recalling victim and complainant and same was rejected by this Court. The matter is to be fixed for Further Statement. No any evidence in any shape has been attached with the bail application in support of the averments made therein. Hence, the ground taken by the accused appears to be vague one.

7. In view of the above facts and circumstances, following order is being passed :

ORDER

The present criminal misc. application for interim bail of 30 days preferred by the accused-applicant Mukeshbhai Danabhai Parmar is hereby rejected.

Yaadi accordingly.

Pronounced in the open Court on this Second day of March 2022.

Date : 02/03/2022.

Place: Ahmedabad.

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**(PARVEEN KUMAR)
Special Judge (POCSO),
Special (POCSO) Court,
City Civil & Sessions Court,
Court No.19, Ahmedabad City.
(Unique ID Code: GJ01511)**