

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.1243 of 2014

Salim s/o. Narroddin Sayyed. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. Abhijit Choudhary, Advocate, holding for Shri. L.S. Shaikh, Advocate, for applicant.

Shri. R.P. Phatke, Additional Public Prosecutor, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 7th JANUARY 2015

ORDER:

1) The application is filed for bail. Both the sides are heard. This Court has perused papers of investigation and also the deposition of the prosecutrix.

2) The previous application filed by the present applicant was withdrawn when this Court expressed that on merits this Court will not grant bail to the applicant in view of heinous act committed by the applicant. Thus, the

previous application was dismissed on merits. When the previous application was filed deposition of the prosecutrix was not recorded. Today, learned Additional Public Prosecutor has produced copy of deposition. It shows that she has stuck up to the version given before police. The prosecutrix is a handicapped girl. She was picked up from railway platform by the present applicant with the help of his associates. She was forcibly taken to a lonely place and there rape was committed by the present applicant. The applicant appears to be very influential person and he has many associates. Now there is evidence of the prosecutrix and she has not turned hostile. In view of these circumstances this Court holds that it is not a fit case to grant bail.

3) The application is rejected. The observations made in this order are for the purpose of present proceeding only.

Sd/-
(T.V. NALAWADE, J.)

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