

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

CRIMINAL APPLICATION NO.1794 OF 2014 IN
CRIMINAL APPEAL NO.196 OF 2014

Bhaskar s/o Chhagan More ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

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Shri P.S. Paranjape, Advocate for applicant
Shri D.V. Tele, A.P.P. for respondent/ State
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CORAM: A.I.S. CHEEMA, J.

DATED: 5th January, 2015.

ORAL ORDER :

1. Heard counsel for the applicant and learned A.P.P. for the respondent/ State. Perused record. The applicant is appellant in Criminal Appeal No.196/2014. He has been convicted for offence under Sections 363, 366, 376 of the Indian Penal Code. Even in the trial Court during the pendency of the trial he was in custody. Now he has been convicted. The record shows that the age of prosecutrix was not disputed in the trial Court. Learned counsel for the applicant, however, is submitting that, what was admitted was only bonafide certificate and that

did not amount to accepting the age of the prosecutrix. The matter would be considered at the time of deciding the appeal on its merits. However, at present, what can be seen from record is that, minor prosecutrix was taken away and subjected to intercourse. In view of these facts, I do not think that this is matter where the applicant- accused should be released on bail. The criminal application is rejected. However, hearing of the Appeal is expedited. Paper Book be got prepared urgently. After the Paper Book is prepared and received, liberty to mention is granted.

(A.I.S. CHEEMA, J.)

fmp/cr1794.14