

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3666 OF 2015

Naziabegum @ Shammo w/o.
Shaikh Afzal

....Applicant

Versus

State of Maharashtra

....Respondent.

Mr. S.P. Tilve, Advocate for applicant.

Mrs. R.K. Ladda, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 14th September, 2015.

ORDER :

1. The application is filed for bail. Both the sides are heard. The previous application of the present applicant was withdrawn when this Court expressed that the Court was not inclined to grant the relief. In the order dated 7.5.2015, time limit of four months was given to decide the matter and submissions made show that six witnesses including the prosecutrix are examined and the case is at the flag end. In view of these circumstances, it was necessary for the applicant to show that there has been change in circumstances since the decision of the previous application.

2. This Court has carefully gone through the evidence

given by the prosecutrix and the other material. As the trial Court is to appreciate this material, this Court is avoiding to discuss that material more. As per the case of prosecution, the age of the prosecutrix is below 18 years at the relevant time. There is allegation against the present applicant that she and other lady were running brothel house and they dragged the prosecutrix in the said business. When they had sent a customer in the room of prosecutrix, there was the raid and police caught the customer red handed. Though the applicant ran away, her name was known to the prosecutrix and the name was given. In the Court, the prosecutrix has identified the present applicant as the said lady. In view of the age of the prosecutrix and the aforesaid material and as in such cases, there is possibility of absconding of accused and further, possibility of tampering with the witnesses, (one more witness, who is important witnesses is yet to be examined) this Court holds that it is not a fit case to grant the relief.

3. In the result, the application stands rejected.

[T.V. NALWADE, J.]

ssc/