

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 763 OF 2015

Vinod Sonba Jagtap

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. P.G. Sarda a/w. Mr. Rupesh K. Bobade, Advocate for the applicant.
Mrs. R.V. Newton, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JULY 28, 2015**

P.C.:

This Application is moved for bail, as the applicant/accused is facing charges under section 376, 366A, 506 of the Indian Penal Code and under sections 4 and 8 of Protection of Children from Sexual Harassment Act, 2012 in C.R. No. 105 of 2014 registered with Tembhurni Police Station, Solapur. The father of the minor girl gave information to the police on 25th May, 2014.

2. It is the case of the prosecution that the prosecutrix is 5 years old girl and when she was playing, the applicant/accused told her that he would give her ice-cream and took her away and raped her. The applicant/accused was arrested on 2nd June, 2014. Hence, this Bail Application.

3. The learned counsel for the applicant/accused submitted that the

applicant is falsely implicated. There is no sufficient evidence against the applicant/accused. There is no Test Identification Parade.

4. Learned APP opposed the Application. She relied on the statement of minor girl which was recorded in the presence of members of Mahila Samiti. She was examined on 26th May, 2014.

5. Perused the FIR, statement of minor girl and the medical certificate. As per the case of the prosecution, the minor girl was raped on 25th May, 2014 and on the next day she was clinically examined. Injuries were found on her private parts. *Prima facie* there is evidence against the applicant/accused. It is not a case to grant bail. Hence, the Application for bail is rejected.

(MRS.MRIDULA BHATKAR, J.)