

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1688 OF 2015

Sushil Pandalikrao Kurhekar .. Applicant

v/s.

The State of Maharashtra ..Respondent

Mr. Abhijeet A. Joshi for the applicant
Smt. Veera Shinde, APP for the respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 16th NOVEMBER, 2015.**

P.C.

1. The applicant has filed the application for anticipatory bail apprehending his arrest in Crime No. 75 of 2015 registered with Dapoli Police Station, Dist. Ratnagiri under Section 376, 354A and 506 of the IPC.

2. The learned Counsel for the applicant submitted that the applicant is an Assistant Professor, working since 2004 and that he has good moral character. He has submitted that the applicant is a married person and has 4 years old child and has co-operated

with the departmental inquiry conducted by the department and is ready and willing to co-operate with the police. He, therefore, urges that the applicant be released on bail in the event of his arrest.

3. The learned APP has submitted that there is *prima facie* material to show the involvement of the applicant in the serious crime. She has further submitted that the applicant has been absconding and is not entitled for the bail.

4. I have perused the records and considered the submissions advanced by the respective parties. The records *prima facie* reveal that the applicant herein is an Assistant Professor at Aditya Agricultural Engineering College and the victim is the student of the said college. The FIR *prima facie* reveals that the applicant has sexually abused the victim girl. The allegations levelled against the applicant *prima facie* constitute the offence under Section 376 of the IPC. The records also *prima facie* reveal that

the redressal committee of the college had looked into the grievance of the victim and had submitted the report holding the applicant guilty of the acts as alleged. Subsequently, the departmental inquiry was initiated and the applicant has been suspended and presently is under suspension.

5. The material on record *prima facie* reveals that the applicant is involved in commission of the offence, which is of serious nature. The investigation is at primary stage. Considering the aforesaid facts so also the fact that the victim is the student of the applicant, in my considered view, releasing the applicant on bail at this stage would thwart the course of justice.

6. Under the circumstances and in view of the discussion *supra*, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)