

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 71 OF 2015

Arun Namdev Saglar	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Ritesh Thobde, Advocate for the applicant.
Mr. Arfan Sait, APP for the State.

CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 23rd March, 2015.

P.C.

This Application is moved for bail, as the applicant/accused is prosecuted for the offences punishable under sections 376(I)(N), 506 r/w. 34 of the Indian Penal Code and under section 4 of the Protection of Children from Sexual Offences Act, 2012. The offence is registered at the instance of father of the victim girl at C.R. No. 269/2014 with Mohol Police Station, Solapur.

2. It is the case of the informant that on 29th July, 2014 he noticed abnormal behaviour of his daughter, as his daughter of 6-7 years old was hugging his cousin. He and his wife enquired about the same, at that time, she started crying and when he narrated some instances of sexual abuse by some other person, then on query, the victim girl and her elder sister told about the applicant/accused, who has sexually assaulted the

two minor girls of 9 & 7 years old of the complainant, pursuant to which the offence was registered. The applicant/accused was taken in custody on 31st July, 2014. Hence, this Application.

3. The learned counsel for the applicant/accused submitted that there are contradictions in the statement of informant and the statements recorded of the victim girls. He further pointed out that the medical certificates of the girls do not disclose any injury to the private parts. Under such circumstances, whatever allegations are made by the girls do not match with the contents in the medical examination.

4. Learned APP opposed the Application.

5. On perusal of the FIR and also the statement of the victim girls and also the medical certificate, I am not inclined to grant bail at this stage as the offences are against the minor girls, who are 7 and 9 years old. The contradictions can be argued and appreciated at the time of trial. Hence, the Application for bail is rejected.

(MRS. MRIDULA BHATKAR, J.)