

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 679 OF 2015

Suresh Ramchandra Pawar

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Rajaram V. Bansode, Advocate for the applicant.

Mrs. Veera Shinde, APP for the respondent/State.

CORAM: **MRS.MRIDULA BHATKAR, J.**DATE : **JULY 24, 2015**

P.C.:

This Application is moved for bail. The applicant/accused is facing prosecution under section 376(1)(2)(i) of Indian Penal Code and under sections 4, 5 r/w.6, 8, 10, 11 and 12 of Protection of Children from Sexual Offences Act, 2012. The incident of rape has taken place on 26th July, 2014.

2. As per the case of the prosecution, the applicant/accused was a driver of Omni van and used to take the students including prosecutrix from their home to school. The applicant was caught red-handed by a witness and the matter was informed to the victim's parents. The victim told the whole incident that she was ravished by the applicant/accused on that day and earlier also, the applicant/accused behaved in such a manner with her. The complaint was lodged by the mother of the prosecutrix on 26th July, 2014, pursuant to which, the offence was registered at C.R. No.

193 of 2014 at Tasgaon Police Station, District Sangli. The applicant/accused was arrested on the same day.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is in prison since last one year and no external injuries were found on the person of the prosecutrix.

4. Learned APP opposed the Application for bail. She placed reliance on the statement of prosecutrix, statement of mother, statement of eye witness.

5. On perusal of all the documents, complaint and medical certificate, I am of the view that this is not a case to grant bail. Hence, the Application for bail is rejected.

(MRS.MRIDULA BHATKAR, J.)