

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.476 OF 2015****IN****CRIMINAL APPEAL NO.934 OF 2014**

Vanita Vasant Patil

...Applicant.

versus

The State of Maharashtra

..Respondent.

.....

Mr. Kuldeep S. Patil for the Applicant.

Mr. H.J. Dedhia, Addl.P.P. for the State.

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**CORAM : SMT V.K. TAHILRAMANI &
A.S. GADKARI, JJ.****3rd September, 2015.****P.C. :**

Heard the learned counsel for the Applicant - original accused No.2 and the learned APP for the State.

2. By the judgment and order date 28th October, 2014 passed by the learned Additional Sessions Judge, Raigad, Alibag in Sessions Case No.62 of 2013, the Applicant - original accused No.2 has been convicted under Section Section 376(2)(b), 109 of the Indian Penal Code read with Section 5(c), 6 and 17 of the Protection of Children from Sexual Offence Act. The Applicant is now seeking bail.

3. P.W.1 is the victim girl. At the relevant time she was studying in 7th standard at primary school wherein the Applicant was the headmistress. The co-accused was the class teacher of the victim girl. The victim girl has clearly stated that the Applicant told her to clean the room where rice was stored. So she went in the said room. When the victim girl entered into the said room, the Applicant bolted the door of the said room from outside. Original accused No.1 Datta who was the class teacher of the victim girl was present in the said room. He caught hold of her hands. Thereafter the victim girl has described the various acts done by accused No.1 Datta including committing rape on her. Accused No.1 also snapped photographs of the breast and private part of the victim girl. The evidence of the victim girl clearly shows the complicity of the Applicant in the said case. Looking to the role played by the Applicant, we are not inclined to grant bail.

4. Learned counsel for the Applicant thereafter submitted that the Applicant is a lady and she is about 60 years of age. However, looking to the role which we have narrated above played by the Applicant, we are not inclined to grant bail on

these grounds also. However, the hearing of the Appeal is expedited.

The Application is disposed of in above terms.

(A.S. Gadkari, J.)

(Smt. V.K. Tahilramani, J.)