

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

CRIMINAL BAIL APPLICATION NO. 1620 OF 2015

Rahul Kailash Gavale

.. Applicant/Accused no.1

v/s.

The State of Maharashtra

..Respondent/s

Mr. AshokmTajane, Advocate for the Applicant

Mrs. R.V.Newton, APP for the Respondent State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : NOVEMBER 18, 2015

P.C. :

1. This is an application for bail filed by the applicant who is an accused no.1 in Sessions Case No.105 of 2015.
2. Heard learned Counsel for the applicant. He has submitted that the applicant is falsely implicated in the case and that no specific role is attributed to the applicant in commission of the alleged offence.
3. The learned APP for State submitted that the statement of the victim discloses that the applicant is involved in committing the offence and that the medical evidence corroborates the statement of the victim.

4. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties. The records prima facie reveal that the victim is a minor girl. Her statement reveals that the applicant had sexually abused her. The allegations levelled against the applicant constitute offence under Section 376 of the Indian Penal Code. The medical evidence also corroborates the statement of the victim. The material on record prima facie reveals that the applicant had committed rape on the minor girl, which is a serious offence and is against the societal interest. The evidence of the minor girl is not yet recorded. Considering this aspect and also considering the nature of the allegations, the applicant is not entitled for bail.
5. Hence, the application for bail is rejected.

[ANUJA PRABHUDESSAI, J.]