

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

CRIMINAL BAIL APPLICATION NO. 1635 OF 2015

Popat Vitthal Shitole

.. Applicant

v/s.

State of Maharashtra

..Respondent

Mr. Milind Deshmukh for the applicant

Mr. Rajesh More, APP for respondent State

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 17th NOVEMBER, 2015.

P.C.

1. This application is filed for anticipatory bail by the applicant, who is the accused in Sessions Case No.119 of 2015 in relation to C.R. No.45 of 2015 registered by Shirur Police Station, Pune for the offence under Sections 376, 354, 504, 506, 507, 509 of the IPC and Section 4, 6, 8 and 10 of the Protection of Children from Sexual Offences Act.

2. Heard the learned Counsel for the applicant and learned APP for the State.

3. I have perused the record. The FIR *prima facie* reveals that the victim is a 15 years and is a niece of the applicant. The FIR reveals that the applicant herein had sexually abused her. The allegations levelled against the applicant *prima facie* disclose offence under Section 376 of the IPC as well as the provisions of Section 4, 6, 8, 10 of the Protection of Children from Sexual Offences Act. The medical reports also *prima facie* corroborates that the victim was sexually abused and that she was pregnant. The offence is of grave and serious in nature.

4. The applicant is closely related to the victim and her family members. The trial of the case has not yet commenced. The possibility of the applicant influencing the victim and tempering with the evidence cannot be ruled out.

5. Under the circumstances, the applicant is not entitled for bail. Hence, the application for bail is rejected.

(ANUJA PRABHUDESSAI, J.)