

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 140 OF 2016

Jitendra S/o Kailash Khandare .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Bhosale, Advocate h/f Mr. Harbans Singh D. Bedi,
Advocate for the applicant

Mr. S.Y. Mahajan, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 05/07/2016

ORAL ORDER :

Heard.

2. The applicant is seeking bail in Crime no.312 of 2014 registered at MIDC Jalgaon Police Station, Dist. Jalgaon for the offences punishable under section 376(2) of the Indian Penal Code r/w. Section 4 of the Protection of Children from Sexual Offences Act.

3. It is the case of prosecution that on

7/11/2014, when the parents of the victim – Sanjana, aged about 12 years, went out of their house, the applicant, on a false pretext, called her and committed rape.

4. While trying to make out case for grant of bail, learned counsel for the applicant would submit that the applicant is innocent and is falsely implicated. According to him, the investigation is over and as such, the further detention of the applicant is not necessary. He would then submit that since last about more than 1-1/2 years, the applicant is behind the bars.

5. Learned A.P.P. opposed the application in view of material collected during investigation.

6. Perused the statement of the victim – Sanjana, the medical evidence, the report of the Forensic Science Laboratory, which prima facie speaks of the involvement of the applicant in a serious crime. The Apex Court has already observed

that such offences are required to be viewed very seriously.

7. In view thereof, in my opinion, no case for grant of regular bail is made out. The Application fails, stands rejected.

[N.W. SAMBRE]
JUDGE

arp/-