

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.6944 OF 2015
IN
CRIMINAL APPEAL NO.941 OF 2015

Ganesh @ Gorakh Tatyarao
Jadhav ..Applicant

Versus

The State of Maharashtra ..Respondent

--

Mr.M.S.Karad, advocate for applicant

Mr.R.B.Bagul, APP for respondent - State

--

CORAM : M.T. JOSHI, J.
DATE : FEBRUARY 09, 2016

PER COURT :

Heard both sides.

2] Present applicant/appellant has filed appeal being aggrieved by the judgment and order dated 28th October, 2015 in Sessions Case No.328 of 2014, passed by the learned Addl. Sessions Judge, Aurangabad, thereby convicting him for the offences punishable under Section 376 of Indian

Penal Code; and Section 4 read with Section 3 of the Protection of Children from Sexual Offences Act and directing him to suffer rigorous imprisonment for seven years and to pay fine of Rs.2,000/-. During pendency of the appeal, the applicant wants that he be released on bail by suspending the substantive sentences.

3] The reasons forwarded by the learned Addl. Sessions Judge, would show that present applicant/appellant has sexually assaulted the minor victim girl who was posed to him as a sex worker. Upon complaint of the neighborers, the police raided the place, which is termed as a brothel home. Thereat, present applicant was found with the minor victim girl.

4] Having considered the material on record, in my view, the applicant cannot be released on bail. Present application is, therefore, rejected.

5] As the applicant would be in jail, hearing of the appeal is expedited.

[M.T. JOSHI, J.]

kbp