

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

924 CRIMINAL APPLICATION NO. 1240 OF 2017

NAVNATH S/O EKNATH AHIRE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mrs. Shrivastava Mamta S.
APP for Respondent : Mr. S.J. Salgare
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CORAM : T.V. NALAWADE, J.
DATED : March 22, 2017.

ORDER :

1. The application is filed for bail. This is the second application filed for bail in this Court. It appears that in the previous application, this Court has given liberty to the present applicant to approach the Sessions Court after receipt of the C.A. report with regard to the clothes of the prosecutrix.

2. This Court has carefully gone through the statement given by the prosecutrix. She has made allegations that on 1.5.2016 she was picked up from the school where she had gone to collect the result of 10th standard examination and then she was taken to one lodge from Vaijapur and there, the present applicant, who is aged about 30 years, who is having wife and two issues took sexual intercourse with her. When the first incident took place on 1.5.2016 in the village Khamgaon, Tahsil Yewala, on 14.7.2016 the applicant again tried to do the same

thing and then the girl realised that the applicant will do it repeatedly and so, she disclosed the incident to her relatives and then report was given to police. The medical examination report is consistent with the aforesaid allegations made by the girl.

3. The learned counsel for the applicant submitted that there is no other witnesses to show that the applicant was seen in the company of the prosecutrix. This submission is not at all correct as there are witnesses from the lodge who have given statements that the applicant had taken the girl to lodge and he has made false representation to them that she was his niece, she is sick and then he was allowed to take room in the lodge. The applicant has done heinous crime and he has destroyed the life of girl of 15 years. If he is member of Village Panchayat, the possibility that he will tamper with the prosecution witnesses, cannot be ruled out even if some conditions are imposed on him. The submission made show that charge is already framed. So, case itself will be expedited in which 3-4 witnesses need to be examined. In the result, the application is rejected. The case is to be disposed of expeditiously and in any case within three months from the date of this order.

[T.V. NALAWADE, J.]

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