

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1766 OF 2017

Jagdish s/o. Shriram Pawar .. Applicant

Versus

The State of Maharashtra .. Respondent

Mr.Saeed S. Shaikh h/f. Mr. M.A. Latif, Advocate for the applicant.

Mr.R.V. Dasalkar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.

DATED : 26.04.2017

P.C. :-

1. This application is filed for bail. Both the sides are heard. The papers of investigation were made available for perusal of this Court.

2. The crime at C.R. No.1252 of 2016 is registered in Mukundwadi Police Station, Dist. Aurangabad, for offences punishable under sections 376(2), 323 and 506 of the Indian Penal Code and under some provisions of the Prevention of Children from Sexual Offences Act, on the basis of report given by the victim girl, who is aged about 16 years. The applicant is father of the victim. She has made allegations that when she was studying in 5th standard, first time the applicant raped her, when her mother was not at home. The applicant is working as a

driver and he used to remain out of station for many days of the month, but on every occasion when he used to come, he used to sexually abuse the victim girl. This is continued for many years and due to that the victim girl was fed-up. Few days prior to filing of the report, she disclosed everything to her mother. The victim's mother asked the applicant to leave the house. Even after leaving the house, the applicant started roaming around the house of the victim girl and ultimately the victim girl approached the police.

3. This Court has seen the record of medical examination of the victim girl and it is consistent with the allegations made against the applicant. There are also statements of close relatives like mother and younger sister supporting the version of the victim girl. If the applicant is granted bail, he will certainly tamper with the prosecution witnesses. In view of the circumstances, this Court holds that the applicant cannot be granted bail.

4. In the result, the Criminal Application is rejected.

[T.V. NALAWADE, J.]