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

CRIMINAL BAIL APPLICATION NO.780 OF 2017

Shakir Razzak Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.G.K.Gole i/b Mr.Ateet Shirodkar, for the Applicant.

Mr.Rajan Salvi, A.P.P. for the Respondent-State.

PSI – Shweta A. Belhekar, Indira Nagar Police Station, Nashik City.

CORAM : REVATI MOHITE DERE, J.

DATE : 27th APRIL, 2017

P.C. :

1. Heard learned counsel for the Applicant and the learned APP for the Respondent - State.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.346 of 2016 registered with the Indira Nagar Police Station, Nashik, for the alleged offences punishable under Sections 377 and 506 of the Indian Penal Code and under Sections 4

and 6 of the Protection of Children from Sexual Offences Act.

3. Learned Counsel for the applicant submitted that the applicant has been falsely implicated in the said case due to a previous complaint lodged by the applicant's wife, against the complainant's brother. He submitted that the other reason for lodging the complaint is to see that the applicant's daughters' marriage does not take place.

4. Learned APP opposed the application.

5. Perused the papers in particular the statement of the victim boy. The applicant was about 52 years of age at the relevant time and the victim boy 8 years old. According to the victim boy, the applicant took him home and committed an offence punishable under Section 377 of the Indian Penal Code. He has given details of the manner in which the said act was committed. The medical evidence corroborates the statement of the victim boy.

6. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

7. Hence, the Application for bail is rejected and disposed of as such.

8. It is made clear that the observations made herein, are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)