

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION No. 1588 OF 2017

Pradeep Narendra Singh	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Sunny Aaron Waskar, Advocate for the applicant.
Mrs. Veera Shinde, APP for the State.
Mr. Girish Anavkar, P.I., SB//CID, Mumbai present.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **15th September, 2017.**

P.C.:

This is the second Bail Application. The first Bail Application is rejected by this Court on 16th March, 2016.

2. The learned counsel for the applicant/accused submitted that at the time of passing the order, this Court has made certain observations that the medical report was not legible but today the copy of the legible medical report of the victim child is produced. The learned counsel also submitted that the statement of the brother of victim was not on record at the time of passing order but the statement of brother of the victim was recorded on 17th March, 2016. For these two reasons, second Bail Application is filed. The

learned counsel submitted that there is variance in the statement of the mother of the victim recorded on 12th December, 2015 on the date of incident and the statement of brother recorded on 17th March, 2016. He produced the medical report and submitted that the medical report is not against the accused.

3. Learned APP submitted that the Investigating officer Mr. Girish Anavkar is not cooperating. The report of Chemical Analyzer in respect of the victim is yet to come. The nicker of the child was seized by the police on the same day, as the mother produced the same, however, yet the C.A. Report is awaited. She submitted that the report is not in favour of the accused and whatever variance may be there, as the statement of the brother is recorded after 2 ½ months. She prays that the Bail Application be rejected.

4. Investigating Officer, who is present in the Court, is unable to give a satisfactory reason of delay in recording the statement of Chetan, brother of the victim. I have perused the medical report which shows erythema on labia majora. I am not inclined to grant bail. Bail Application is rejected.

5. The Presiding officer is directed to proceed with the matter and expedite it within 6 months from today. Investigating officer is answerable to the trial Court as to why the C.A. Report of the nicker of the child is not included in the charge sheet and shall also produce the letters of reminders sent by the Investigating officer to the Chemical Analyzer.

(MRS.MRIDULA BHATKAR, J.)