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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2143 OF 2017

Sachin Maruti @ Ajinath Gaikwad

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Vikrant V. Phatate for Applicant.

Ms. Rutuja Ambekar, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 24th NOVEMBER 2017.

P.C.

1] This is an application under Section 439 of Cr. P.C. for bail in CR No.280 of 2016 registered with Vairag Police Station, Taluka-Barshi District-Solapur under Sections 376(2)(i), 366A of the Indian Penal Code and under Section 4 and 12 of Protection of Children from Sexual Offences Act, 2012 (PCSO Act).

2] With a view to protect the identity of the victim girl and in consonance with the provisions of Section 228(A) of the Indian Penal Code, detailed narration of facts mentioned in the present application, first information report and in the statements of the witnesses is hereby avoided. The information report is lodged by the uncle of the victim girl against the

applicant.

3] It is the case of the prosecution that, the applicant along with other accused persons abducted the prosecutrix from the internal road of the village and took her to secluded place and facilitated co-accused Mahadu Deokar to commit rape on her. In the present case, victim girl is aged about 15 years. The report as well as statement of the victim girl unequivocally ascribes the role to the applicant of helping/assisting the principal accused Mahadu Deokar in abduction of victim girl and after the commission of the said crime as contemplated under Section 376 of the Indian Penal Code by Mahadu Deokar, applicant helped him in releasing/dropping victim girl near a well in the village. Undoubtedly, the allegations against the applicant are of serious in nature i.e. abduction of a minor girl from road with a view to facilitate the co-accused to commit rape on her.

4] Considering the facts of the case, serious allegations against the applicant and gravity of the offence, this Court is of the view that the applicant does not deserve to be released on bail.

Application is accordingly dismissed.

(A.S. GADKARI,J.)