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

CRIMINAL BAIL APPLICATION NO.363 OF 2018

Prashant Balu Bhosale

...Applicant

Versus

State of Maharashtra

...Respondent

Mr.Harshad Sathe, for the Applicant.

Ms.P.N.Dabholkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th APRIL, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.267 of 2016 registered with the Vashi Police Station, Navi Mumbai, for the alleged offences punishable under Sections 363, 376(D), 506 r/w 34 of the Indian Penal Code and under Sections 4 and 8 of Protection of Children from Sexual Offences Act,.
3. Perused the charge-sheet. The survivor/prosecutrix, is aged 17 years. She has alleged that the applicant alongwith two others took advantage of her and had physical relations with her, without her consent.

The statement of the survivor dated 9th March, 2017, is consistent with her 164 statement as well as the medical history given by the survivor to the Doctor on 19th April, 2017. The applicant was a minor, at the time of the alleged incident.

4. Considering the *prima facie* material as against the applicant, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited. The learned Judge to conclude the trial as expeditiously as possible and preferably within 12 months from the date of receipt of this order.

6. 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.)