

Anand

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

BAIL APPLICATION NO. 371 OF 2018

Sajjad Mohd. Ibrahim Ansari .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. M. R. Gowd, Advocate, for the Applicant
Mr. M. G. Patil, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 04.04.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 380 of 2017 registered with the Wadala T. T. Police Station, Mumbai, for the alleged offences punishable under Sections 354, 354A, 323, 506 of the Indian Penal Code and under Sections 9(n), 10 & 12 of the Protection of Children from Sexual Offences Act (for short 'POCSO' Act).

3. Perused the charge-sheet.

4. The Applicant is the step father of the survivor, aged 15 years. According to the prosecution, the Applicant would inappropriately touch the survivor and would lure her to do objectionable things. It is alleged that in the intervening period i. e. between 13.09.2017 and 15.09.2017, the Applicant started touching the survivor inappropriately and started misbehaving with her. The survivor immediately ran to the house of the neighbour and informed her about the conduct of the Applicant. No doubt in the 164 statement, the survivor has stated that she had initially wrongly implicated the Applicant, the fact remains that the survivor had made an immediate disclosure to her neighbour who is an independent witness, with regard to the acts of the Applicant. If the Applicant is enlarged on bail, the possibility of the Applicant threatening the survivor or tampering with the witnesses cannot be ruled out.

5. Considering the aforesaid, this is not a fit case to enlarge the Applicant on bail. Hence, the Application stands rejected. However, considering the sentence that is likely to be imposed on the Applicant, if he is found guilty, the trial is expedited. The learned Judge shall conduct the case as expeditiously as possible and in any event within four months from the date of receipt of this order. If for no fault of the

Applicant the trial does not conclude within the stipulated period, the Applicant is at liberty to file a fresh Application.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)