

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

BAIL APPLICATION NO.623 OF 2018

Mr. Pratik @ Golu Arun Sathale	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. G.S. Jadhav I/b. Mr. Biju A. Aloor for the Applicant.
Mr. Rajan Salvi, APP for the Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 27th AUGUST, 2018.

P.C.:-

This is a bail application filed by the aforesaid Applicant, who is facing trial in Sessions Case No.770 of 2017 for the offences punishable under Sections 363, 302 and 201 r/w 34 of the IPC.

2. Heard Mr. G.S. Jadhav, the learned counsel for the Applicant and Mr. Rajan Salvi, the learned APP for the Respondent -State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The records prima facie reveal that the victim girl was about 4 years of age had gone missing on 28th June, 2017. Father of the victim girl had lodged a missing report on the same date. Subsequently, the Applicant and the co-accused were arrested on

suspicion. The co-accused, while he was in custody, had made a statement that body of the deceased was burnt and thereafter buried in a field. The said partly burnt /decomposed body was exhumed in presence of panchas, as per the disclosure statement made by the co-accused. The records, more particularly the statement of the father of the deceased indicates that on 28th June, 2017 i.e. the date on which the victim girl gone missing, he had seen the Applicant and the co-accused going by one zylo car and at that time the co-accused Shubham had carried a red bag in his hand. The material on record clearly indicates that the burnt pieces of the red bag were recovered as per the disclosure statement made by the co-accused. The material on record further reveals that as per the disclosure statement made by the present Applicant, a pillow and a blanket used to cause death of the deceased has been recovered. There is thus, prima facie material to show the involvement of the Applicant in a heinous crime. The trial has not yet commenced. Releasing the Applicant at this stage would hamper the trial.

4. Under the circumstances and considering the nature of allegations in my considered view this is not a fit case for grant of bail. Hence, the application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)