

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

CRIMINAL BAIL APPLICATION NO.993 OF 2018

Sambhaji Uttam Suryawanshi ... Applicant

V/s

The State of Maharashtra ... Respondent

Mr.Aniket U. Nikam for the Applicant.

Mr.S.R.Agarkar, APP for the State/Respondent.

Ms.M.T.Shinde, WPSI, Sangvi Police Station, Pune present.

CORAM : SMT.SADHANA S. JADHAV, J.

DATE : JUNE 05, 2018.

P.C. :

1. Heard.

2. This is an application under Section 439 of Cr.P.C. The applicant herein is arrested on 6th December 2017, in Crime No. 486 of 2017 registered at Sangvi Police Station for the offences punishable under sections 376(2),(F),(N),(I), 506, 323 of IPC and under Sections 5(N) and 6 of the Protection of Children from Sexual Offences Act, 2012.

3. It is the case of the prosecution that on 6th December 2017, the wife of the present applicant lodged the report at the police station alleging therein that her husband happened to be

alcoholic. He used to abuse her and her child who is two and half years old intermittently. That on 30th November 2017, her minor daughter who was two and half years old was watching television, her husband had returned home in a intoxicated state of mind and had asked for dinner. The first informant was cooking in the kitchen. When she returned, she saw her husband ravishing his daughter, who was two and half years old. She tried to separate them. He abused and assaulted her. She had taken the child to the hospital. The applicant had threatened the complainant that in the eventuality she disclosed it to anybody, he would eliminate the child. However, she gathered courage and approached the police station and lodged the report. The act of the applicant is not only heinous but it is inhuman act, wherein he had subjected his own minor daughter to sexual abuse. The mother happens to be an eye witness. No case for bail is made out. The application being sans merits stands rejected.

(SMT.SADHANA S.JADHAV, J.)