

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

BAIL APPLICATION NO.1555 OF 2018

Ramesh Vithal Bagade Applicant
Vs.
The State of Maharashtra Respondent

Mr. Ritesh Thobde for the Applicant.
Mr. S.S. Pednekar, APP for the State.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 13th August, 2018

P.C.:

1 Heard the learned counsel for the applicant and the learned APP.

2 This is an application under Section 439 Code of Criminal Procedure. The applicant herein is arrested in Crime No.315 of 2017, registered at Natepute Police Station, Solapur (Rural), for the offences punishable under Sections 363, 366(A), 376 (2)(f)(i), 323, 506 of Indian Penal Code and 4, 5(f), 8, 12 and 42 of Protection of Children from Sexual Offences Act.

3 It is the case of the prosecution that the applicant herein happens to be an Assistant Teacher in a School at Natepute run by Zilla Parishad, Solapur. It is alleged that on 3rd November 2017, one Laxman Sambhaji Gore lodged a report at the police station alleging therein that his daughter was studying in the said School from 1st standard. She had a squint in her eye. According to the complainant, the applicant used to take his daughter on his motorcycle for the treatment of her eye with the permission of the parents. That on 2nd November 2017 also, the applicant had taken her for medical treatment. He had also informed that he is also taking his son Sunil Gore alongwith the victim. However, Sunil was asked to go home and thereafter the applicant had taken the victim alongwith him under the pretext of her treatment. At about 5.30 pm., they had found that the girl was crying and Principal had called the uncle of the victim. She had disclosed that the applicant was sexually abusing her since long. On the basis of the said report, an offence was registered.

4 In the course of the investigation, the statement of the victim was recorded on 3rd November 2017. She has disclosed that when she was in 6th standard, the applicant had taken permission from her parents for extending medical aid to her and on every occasion, he had ravished her. She had narrated several instances when she was ravished.

5 Learned counsel for the applicant submits that there was an enmity between Tele Sir who was officiating as Principal and the present applicant and to satisfy the personal vendetta, the victim has been made a scapegoat and the applicant is falsely implicated. Upon perusal of the statement of the victim, this argument cannot be accepted. Hence, the application being sans-merits stands rejected.

(*Smt. Sadhana S. Jadhav, J*)