

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

BAIL APPLICATION NO. 2043 OF 2018

Jagdish @ Jagya Sidappa Hilarogi

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Rushikesh S. Kale for the applicant.

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

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 31th AUGUST, 2018.**

P.C.:

. This is an application for bail under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who has been arrested in C.R.No.13/2018 registered at MIDC Bhosari Police Station, District Pune for offences punishable under sections 376, 506 of the Indian Penal Code and sections 3, 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard Mr. Rushikesh S. Kale, learned counsel for the applicant and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The victim is a 14 year old girl and the applicant is her neighbour. The mother of the victim who is a vegetable vendor had lodged the first information report stating that on 05/01/2018, when she returned home after selling vegetables, her daughter told her that the applicant herein about two months ago had taken her to his house and had sexual intercourse with her. She had stated that the applicant had threatened her not to disclose the incident to anyone and had also threatened to kill her brother in the event she disclosed the said incident to anyone. She has stated that he had committed rape on her several times taking advantage of the fact that she used to be alone in the house. The statement of the victim who is barely 14 years of age, also *prima facie* reveals that the applicant had sexual intercourse with her. The medical evidence also supports the case of the prosecution. The offence is of serious nature. The applicant is a neighbour of the victim and if released on bail, there is every possibility of the applicant interfering with the victim and thus, jeopardies the course of justice.

4. Considering the above facts and circumstance, the applicant is not entitled for bail. Hence, Bail Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)