

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

CRI. ANTICIPATORY BAIL APPLICATION NO.1671 OF 2018

Deepak Ramesh Dubla	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

.....

Mr.Gautam I. Jain, Advocate for the Applicant.
Ms.A.a. Takalkar, APP for the Respondent - State.
Mrs.S.B. Manwar, Lady PSI, Talasari police station, present.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : AUGUST 24, 2018.

P.C. :

The application for anticipatory bail is preferred in connection with CR No.I-117 of 2017, registered with Talasari Police Station, District - Palghar, for the offence under Sections 354, 506 of IPC and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

2 The case of the prosecution is that the victim is aged about 14 years. The applicant is the relative of the victim. The accused pushed the victim down on the ground and outraged her modesty. When the victim raised hue and cry, her mother came to

the spot. The accused ran away from the spot by giving threat that he would outrage her modesty.

3 The applicant preferred an application for anticipatory bail before the Sessions Court, which was rejected on 7th November, 2017.

4 Learned counsel for the applicant submits that the applicant has cooperated with the investigation, and, the custodial interrogation is not necessary. Nothing is to be recovered from the accused. The offence is punishable at the most for imprisonment of five years.

5 Whereas, learned APP has submitted that the applicant is absconding. The investigating machinery made attempts to apprehend him, but, he was not found at his residence and in the vicinity. The medical evidence corroborates the version of victim. Specific role has been attributed to the applicant-accused in the said offence. It is also submitted that one month after the incident the applicant-accused has threatened the mother of the victim.

6 The First Information Report clearly attributes overtact to the applicant. The applicant was not available for the purpose of investigation. The application was rejected by Sessions Court on 7th November, 2017. Since then the applicant is avoiding arrest. The police made attempts to apprehend him, but, he was not found. It is also brought to the notice of the Court that the applicant had threatened the complainant. Considering the nature of allegations and circumstances pointed out by the learned APP, the submissions advanced by the advocate for the applicant, cannot be accepted. Hence, the application is required to be rejected.

7 Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)