

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

ANTICIPATORY BAIL APPLICATION NO.1913 OF 2018

Abdul Rehman Mohd. Salim

.. Applicant

Vs.

State of Maharashtra

.. Respondent

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Mr.A.A. Siddiquie i/b. M/s. A.A. Siddhiquie & Associate, Advocate
for the Applicant.

Mrs.G.P. Mulekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : SEPTEMBER 19, 2018.

P.C. :

Applicant is apprehending arrest in connection with C.R.No.101 of 2018, registered with Shivaji Nagar Police Station, Mumbai, for the offences punishable under Sections 354, 354(B), 323, 427, 509 read with 34 of Indian Penal Code (“IPC”, for short) and Sections 6 and 12 of the Protection of Children fro Sexual Offences Act, 2012 (“POCSO Act”, for short). The prosecution case is that the applicant had outraged the modesty of the first informant as well as her friend. Applicant also assaulted the informant by knife, due to which she sustained injuries. Statement of complainant as well as other victim who was minor at the time of incident corroborates the incident.

2 Investigating officer has recorded the statements of complainant and other witnesses. The informant was also examined by the Doctor. There were injuries sustained by the complainant on her hand and neck.

3 The case of the applicant is that he has been falsely implicated in this case. The complainant and her companion are in habit of consuming narcotics. Applicant is a student. Custody of applicant is not necessary. He would cooperate with investigation. CCTV Footage shows that the complainant and the other girl were consuming drugs.

4 On going through the statement of the first informant, which was treated as FIR, as well as statement of other victim girl who was minor at the time of incident, it can be seen that the they have categorically stated that the applicant had touched the first informant inappropriately and had outraged her modesty as well as of her friend. Applicant has also assaulted first informant with the aid of knife she had sustained injuries. In the circumstances, no case for anticipatory bail is made out. Hence, Anticipatory Bail Application No.1913 of 2018, stands rejected.

(PRAKASH D. NAIK, J.)