

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2779 OF 2017
(THROUGH JAIL)**

Ajay Mohan Behara	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Kedar Patil, as *amicus curiae*

Mr. M. G. Patil, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 3rd APRIL, 2018

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-310 OF 2012 registered with the Kolsewadi Police Station, for the alleged offences punishable under Sections 376, 323, 506 of the Indian Penal Code; under Sections 23 and 25 of the Juvenile Justice (Care and Protection of Children) Act and Sections 4, 5, etc. of Protection of Children from Sexual Offences Act.

3. Perused the charge-sheet. The applicant is the father of the survivor aged 3 years. According to the prosecution, the applicant sexually assaulted his daughter aged 3 years on 24th November, 2012. The statements of doctors show the nature of injury sustained by the survivor. It appears that due to the grievous nature of injuries to the private parts, the survivor had to undergo almost three surgeries.

4. Considering the serious allegations as against the applicant, this is not a fit case to enlarge the applicant on bail. The application is rejected.

5. Since the case is of the year 2012, if the trial has not commenced, the learned Sessions Judge before whom the trial is pending shall expedite the said case and conclude the same as expeditiously as possible, and in any event, within 12 months from the date of receipt of this order.

6. Copy of this order be communicated to the applicant, who is lodged in Kalyan District Prison.

REVATI MOHITE DERE, J.