

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 2935 OF 2017**

GaneshShankar Bhintade

Applicant

Versus

The State of Maharashtra

Respondent

Mr.Pradeep Kumar Jain a/w Mr. Mukesh Gupta, for the applicant.

Mr.Y.M.Nakhwa, APP, for the State.

**CORAM : SMT. SADHANA S.JADHAV, J.**

**DATE : 7th February, 2018.**

**P.C. :**

1. Heard. This is an application under Section 439 of Cr.P.C. The applicant herein is arrested on 24.2.2017 in Crime No.36 of 2017 for the offences punishable under Sections 506, 376 of the Indian Penal Code and under Sections 4, 6 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is the case of the prosecution that on 3.2.2017, Ms. Oliviakaur Oberoi lodged a report at the police station that her children are studying in Green Hall School and Junior College, Undri, Pune. On 23.1.2017, her minor daughter had informed her that the driver used to touch her inappropriately in the bus. The young child had demonstrated to her mother

the act of the driver. On 23.1.2017, since there was a disclosure by the child, th mother had approached the Principal of the said School. Upon seeing the photographs of the driver, the victim had identified Dinesh. The parents had requested the Principal to take action. However, it appears that since no action was taken, the helpless mother had approached the police station and lodged a report. The statement of the victim was recorded. She had reiterated the narration made before her mother. On 18.2.2017, the statement of the victim was recorded in camera and she had specifically disclosed that the present applicant happens to be the cousin of Dinesh and he is also a driver in the School Bus. He also indulges into similar activities. She had also stated that the present applicant and his cousin Dinesh acted in similar manner with all the children in the bus, including boys and had threatened to confine them to a dark room if they disclose the incident to anybody.

3. Upon perusal of papers of investigation and considering the heinousness of the offence, this Court is not inclined to grant bail to the applicant. The application being sans merits, stands rejected.

***(SMT. SADHANA S.JADHAV, J.)***