

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

ANTICIPATORY BAIL APPLICATION NO.75 OF 2019

Shahid Khan Ismail Khan Applicant

versus

The State of Maharashtra Respondent

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- Mr.Mahendra N. Sandhyanshiv, Advocate for Applicant.
- Mr.S.R. Agarkar, APP for the State/Respondent.
- PSI S.B. Navale, Malegaon City Police Station, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 13th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.75/18 registered with Malegaon Police Station, under sections 376(A), 363, 366(A) of the Indian Penal Code and under sections 4, 8 of POCSO Act.

2. The FIR is lodged by the prosecutrix. At the relevant time she was minor. It is her case in the FIR that in the year 2018, the present Applicant got acquainted with the prosecutrix

and initially under some false pretext and subsequently by using force, the Applicant committed rape on the prosecutrix from time to time. The prosecutrix has given instances of such forcible intercourse. The prosecutrix was minor and therefore provisions of POCSO are also applied.

3. Looking at the seriousness of the offence no case for anticipatory bail is made out. Custodial interrogation of the Applicant is necessary. The application is therefore rejected.

(SARANG V. KOTWAL, J.)