

Anand

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

**CRIMINAL APPLICATION NO. 292 OF 2019
IN
CRIMINAL APPEAL NO. 660 OF 2018**

Mahiboob alias Tanya Peerahamad Shabhai .Applicant

Vs.

The State of Maharashtra & anr. .Respondents

Mr. U. R. Agandsurve, Advocate, for the Applicant
Mrs. P. P. Shinde, APP, for the Respondent No. 1 – State

CORAM : REVATI MOHITE DERE, J.

DATE : 12.03.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks suspension of his sentence pending the hearing and final disposal of the aforesaid Appeal.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the said case. He further submits that even the sentence awarded by the learned Judge is

harsh, unreasonable & disproportionate to the alleged acts.

4. Perused the papers, in particular, the statement of the prosecutrix and the medical evidence. The statement of the prosecutrix aged 14 years and 10 months shows how she was kidnapped by the Applicant; the manner in which she was taken to Akkalkot, and from Akkalkot to Gulbarga, from Gulbarga to Chennai and then to Hyderabad. She has also stated in detail how she was sexually assaulted by the Applicant. The medical evidence corroborates the statement of the prosecutrix.

5. Prima facie, considering the material as against the Applicant, this is not a fit case to enlarge the Applicant on bail. Accordingly, the Application stands rejected.

6. Preparation of the paperbook is expedited. Matter to be added to the final hearing board as soon as the paperbook is ready.

(REVATI MOHITE DERE, J.)