

Anand

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

BAIL APPLICATION NO. 1376 OF 2019

Rashid Mahamud Solkar .Applicant

Vs.

The State of Maharashtra .Respondent

Ms Roshni J. Singh, Advocate, for the Applicant
Mr. P. H. Gaikwad-Patil, APP, for the Respondent – State
Mr. Sawant, PSI, Versova Police Station, Mumbai present

CORAM : REVATI MOHITE DERE, J.

DATE : 23.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 441 of 2017 registered with the Versova Police Station, Mumbai, for the alleged offences punishable under Sections 354, 376 of the Indian Penal Code and under Sections 4 & 8 of the Protection of Children from Sexual Offences Act.

3. Perused the papers as well as the statement of the victim girl, aged six years. It is the prosecution case that the Applicant, her neighbour would call her to his house and touch her inappropriately and would also insert his finger in her private part. It appears that pursuant

thereto, there was bleeding from the victim girl's private part, for which, she was taken to the hospital. The victim girl was taken into confidence, pursuant to which she disclosed the incident to her parents. The victim girl was in the 2nd Std., when the alleged incident took place. There are medical documents which support the fact that there was bleeding from the victim girl's private part. The Applicant aged 42 years is a neighbour of the victim girl. Apart from merits, the possibility of the Applicant tampering with the witnesses / victim girl cannot be ruled out.

4. Considering the aforesaid, this is not a fit case to enlarge the Applicant on bail. Hence, the Application stands rejected. However, considering age of the victim girl which is six years, the trial of the Applicant is expedited. The learned Judge to dispose of the case as expeditiously as possible and in any event, within nine months from the date of receipt of this order.

5. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)