

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

BAIL APPLICATION NO. 1460 OF 2019

Shri Gangaram Kondiba Zore	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Rajesh A. More, Advocate for the Applicant.
Smt. A.A. Takalkar, APP for the State-Respondent.
Mr. Bhaurao L. Bachakar, (Police Naik) Khandeshwar Police Station,
Navi Mumbai, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 6th December, 2019

PC :

1. This is an application for Bail. The applicant is arrested in connection with C. R. No. 182 of 2018 registered with Khandeshwar Police Station, Panvel, Dist. Navi Mumbai for offences punishable under Sections 376(1) 450, 323, 506 of Indian Penal Code and Sections 3 (1) & 4 of Protection of Children from Sexual Offences Act, ("POCSO" for short).

2. The First Information Report ("FIR" for short) was lodged on 2nd August, 2018 by the victim. It is alleged that on 1st August, 2018, the applicant had entered into the house of the victim girl and had forceful sexual intercourse with her. In pursuant to that complaint was lodged. The age of the victim was 17 years, 7 months and 17 days at the time of incident.

3. Learned advocate for the applicant submitted that the complaint is false. The FIR has been lodged under the pressure of the parents. It is submitted that the FIR was lodged under the pressure of parents. It is consensual relationship. The victim had filed an affidavit before the Trial Court in support of the grant of bail. The victim did not inform about the incident during her medical examination conducted by the Doctor.

4. I have perused the FIR. Specific overt act has been attributed to the applicant. The victim has stated that the accused had forceful sexual intercourse with her. She was minor at the time of the incident. At this stage, it cannot be said that the relationship was consensual.

5. Considering the aforesaid circumstances, no case for grant of bail is made out. The Sessions Court while rejecting the application for bail had expedited the trial.

ORDER

- i) Bail Application No.1460 of 2019 stands rejected.
- ii) The Trial Court is directed to conclude the Trial within a period of Nine months.

(PRAKASH D. NAIK, J.)