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

CRIMINAL BAIL APPLICATION NO.1971 OF 2019

Hasan @Aslam Bakridi Shaikh	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr.L.M.Shukla a/w Mr.Pradeep Rajput, for the Applicant.

Ms. P.P.Shinde, A.P.P for the Respondent - State.

PSI – Inamdar, Dindoshi Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th AUGUST, 2019

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.112 of 2018 registered with the Dindoshi Police Station, Mumbai, for the alleged offences punishable under Sections 354, 354(A)(1) of the Indian Penal Code and under Section 8 of Protection of Children from Sexual Offences Act.

3. Perused the papers, in particular the statement of the victim

girl, aged 6 years. A perusal of the statement of the victim girl shows that when she had gone to the garden to play, the present applicant, stopped her, asked her name, kissed her on her hand, gave her a peck on the cheek, kissed her on her lips and thereafter touched her private part. The applicant has 7 antecedents. Infact, the applicant was arrested in connection with C.R.No.464 of 2017 registered with the Dindoshi Police Station, Mumbai, for similar offences punishable under Sections 354, 354(A), 354(D) and 509 of the Indian Penal Code. After the applicant was released on bail in the said case i.e C.R.No.464 of 2017, within two days, the applicant has committed the aforesaid offences.

4. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail. The possibility of the applicant tampering with the witnesses and committing similar offence, cannot be ruled out.

5. Hence, the application for bail is rejected and disposed of as such. However, having regard to the age of the victim girl, i.e. 6 years the trial of the applicant is expedited, lest the victim girl is unable to recall the acts, due to passage of time. The learned Judge to conclude the trial as expeditiously as possible and preferably within 9 months from the date of receipt of this order.

6. 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.