

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

CRIMINAL BAIL APPLICATION NO.1864 OF 2018

Bechu Mohan Sheth @ Ashish Rajput	... Applicant
Vs.	
State of Maharashtra	... Respondent

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Mr.Vaibhav Ugle, Advocate for the Applicant.
Ms.A.A. Takalkar, APP for Respondent - State.

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CORAM : PRAKASH D. NAIK, J.

DATE : JANUARY 31, 2019.

P.C.

The applicant seeks bail in connection with C.R.No.259 of 2017, registered with Parksite Police Station, Mumbai. First Information Report was lodged by father of victim. It is alleged that on 7th July, 2017, the victim stated that she would search work at that time the complainant told her that there is no necessity for her to work. The victim refused to accept advise hence she was assaulted by complainant, she was angry and left the house and went to house of her relative. On 8th July, 2017, victim was brought back by her mother on the same day she left the house under pretext of going to toilet. She did not return. On search, she was not traced. Hence, complaint lodged for offence under Section 363 of Indian Penal Code. Victim was traced on 11th July, 2017. It is alleged that the victim was sitting at the bus stop. The applicant

came there with Auto-rickshaw. He took her to room. On 10th July, 2017, accused had sexual intercourse with her and promised her of marriage. The applicant is a married person. It is alleged that he had represented that he is unmarried person. Learned APP submitted that the trial is commenced and the evidence of victim is being recorded. Learned counsel for the applicant submits that the accused is in custody from 20th July, 2017. The relationship were consensual. Victim was minor. Taking into consideration the factual aspects of the case and that trial has already commenced and victim's evidence is being recorded. No case for grant of bail is made out. Hence, Bail Application is rejected. Trial Court shall make an endeavour to conclude the trial within six months from receipt of this order.

(PRAKASH D. NAIK, J.)