

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

CRIMINAL BAIL APPLICATION NO. 1946 OF 2018

Sagar Dadarao Lasankar	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.S.S. Lanke for Applicant.
Ms.Rutuja Ambekar, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 8th April 2019.

P.C. :

1] This is an application under Section 439 of the Code of Criminal Procedure for bail in C.R. No. 20 of 2018 registered with Kanjurmarg Police Station, Mumbai, for the offence punishable under Section 377, 506 of the Indian Penal Code and Section 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012, now culminated into POCSO Special Case No. 193 of 2018.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the chargesheet.

3] The victim in the present crime was aged about 12 years on the date of lodgment of the crime. With a view to protect the identity of the victim and in consonance with the provisions of Section 228 (A) the Indian Penal Code and Section 33(7) of the POCSO Act, the detailed narration of the facts mentioned in the statement of the victim and other relevant statements disclosing identity of the victim are hereby avoided.

4] It is the prosecution case that, the applicant is the neighbour of the victim. The applicant by luring the victim called him at his residence when no other family members were present and thereafter, committed an act as contemplated under Section 377 of the Indian Penal Code with the victim. The applicant also threatened the victim with dire consequences. The victim subsequently disclosed the said fact to his mother. The mother of the victim has, therefore, lodged the present crime.

5] A perusal of the statement of the victim would indicate that, he in detailed has narrated the ordeal faced by him at the hands of the applicant. The victim has also narrated the fact of sexual assault by the applicant. The statement of the victim *prima-facie* inspires confidence in the mind of this Court and appears to be trustworthy and reliable.

6] In view of the heinousness involved in the crime, this Court is of the considered view that the applicant does not deserve to be released on bail pending trial.

7] Application is, accordingly, rejected.

[A.S. GADKARI, J.]