

nsc.

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

***CRIMINAL BAIL APPLICATION NO.2031 OF 2018
(THROUGH POST)***

Anil Nandlal Jaiswal	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Rishikesh Kale, *Amicus Curiae*, for the Applicant.

Mr. P.H.Gaikwad-Patil, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 4th JULY, 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.463 of 2017 registered with the MHB Colony Police Station, Mumbai, for the alleged offence punishable under Section 377 of the Indian Penal Code.
3. Perused the charge-sheet furnished by the learned APP. A perusal of the statement of the victim boy, aged 11 years clearly shows the

complicity of the applicant in the alleged offence. The victim boy has in detail set out the manner in which the applicant sexually abused him. The statement of the victim boy is consistent with the statement given by the victim boy to the doctor. The finding of the doctor is sexual violence cannot be ruled out. It appears that the applicant is the step father of the victim boy.

4. Considering the material on record, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited.

6. It is made clear that the observations made herein are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.