

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

BAIL APPLICATION NO. 2884 OF 2019

Ishwar Rajshekhar Chilli

... Applicant

Vs

The State of Maharashtra

... Respondent

...

Mr. V. V. Purwant – Advocate for the Applicant.

Mr. S. R. Agarkar - APP for the Respondent-State.

PSI – Rupali Rane – Kasarwadavali – Police Station.

CORAM : SANDEEP K. SHINDE J.

DATE : 11th DECEMBER, 2019

PC. :

. Heard the learned counsel for the applicant and the learned counsel for the respondent.

2. Seventeen and fourteen years, old survivors-victims, were residing with their mother. Applicant was closely known to mother of survivors, and since two years, were living together. Applicant allegedly committed sexual assault on these two victims, when one was 17 years old and the fetus was aborted as could be seen from discharge summary in MTP No. 39 of

2019. Another victim, was fourteen years old and her statement under the Section 164 of the CR. PC has been recorded. Victims, were below eighteen years. The offence under Section 4 of the Protection of Children from Sexual Offences Act has been prescribes punishment, shall not been less than seven years but which may extend to imprisonment for life. In view of the accusations and evidence on record, though the investigation over, in my view, this is not a fit case, to release the applicant on bail. The Bail Application is rejected.

3. The learned APP submits the DNA report of the first survivor is awaited.

4. The learned counsel for the applicant seeks a liberty to renew his request for enlargement on bail after DNA is made available. Liberty is granted.

5. Application is disposed of.

(SANDEEP K. SHINDE, J.)