

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3016 OF 2019

Samadhan alias Samu Baban

Navghare

...Applicant

V/s.

The State of Maharashtra

(At the instance of Sr.PI

Kasturba Marg Police Station

Borivali (East))

....Respondent

Mr. Sunny A. Waskar, Advocate for the applicant.

Mr. Y.M. Nakhawa, APP for State.

PI, Mr. Ravindra Avahad, Borivali Police Station
present.**CORAM : SANDEEP K. SHINDE, J.****Friday, 29th November, 2019.****P.C. :**

1. Applicant seeks enlargement on bail in Crime No. 437 of 2017 registered with Kasturba Marg Police Station, Borivali (East), Mumbai for the offences punishable under Sections 376(2)(i), 363, 323, 504, 536 of the Indian Penal Code read with

Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short "the POCSO Act").

2. Victim was 15 years old on the date of the alleged incident. Evidence, prima-facie, shows, victim was subjected to aggravated sexual assault. I have no reason to disbelieve it at this stage, though victim narrated to the Medical Officer that she was in love with the applicant. The Counsel for the applicant submits that victim's sister is applicant's sister-in-law.

3. In view of the peculiar facts of the case, the Special Court is requested to conclude POCSO Special Case No.25 of 2018 on/or before 30th April, 2020.

4. In case the trial is not concluded before 30th April, 2020, the applicant is at liberty to renew his request for enlargement on bail.

5. The Bail Application is disposed off in aforesaid terms.

(SANDEEP K. SHINDE, J.)