

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3226 OF 2019

Vishwawnath Himanshu Giri

...Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Jayant Gohil a/w. Ms. Jyoti Mestry, Advocate for
the applicant.

Mr. S.R. Agarkar, APP for State.

PSI, Mr. M.S. Borse, Nayanagar Police Station
present.

CORAM : SANDEEP K. SHINDE, J.**Wednesday, 18th December, 2019.****P.C. :**

1. Applicant is 62 years old, father of
victim, who allegedly committed sexual assault on
her. He seeks enlargement on bail.

2. Victim is 18 years and three months old, a college going student. She had allegedly suffered sexual assault committed by her father, which she had made known to her friend, by a video clip. Thereupon, NGO rescued her and Crime No. I-101/2019 was registered.

3. The video clip allegedly sent by the victim to her friend has been sent for the forensic report.

4. On 17th December 2019 in Chamber, Court has seen the video clip, in the presence of the Counsel for the applicant and the learned APP.

5. Be that as it may, as on today, the victim is in shelter home, Shanti Sadan at Ulhasnagar and investigation is over.

6. The statement of victim's mother and brother suggests victim's relationship with one, Rohit and it also appears members of family were not approving it. It also appears, that the victim was

once referred to Vedanta Hospital and the Doctor had advised to consult a, Psychiatrist. In view of the fact emerging from the statement of mother and brothers of victim, in my view, further investigation may be undertaken. Be that as it may, on the broad probabilities of the facts and taking into consideration applicant's relation with the victim and his age, the applicant is directed to be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount.

7. The applicant shall report to the Investigating Officer as and when called.

8. The applicant shall furnish the particulars of his place of residence and mobile contact number to the Investigating Officer of the Police Station concerned within seven days from his release on bail.

9. The applicant shall not tamper with the

evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

10. The Bail Application stands disposed off.

(SANDEEP K. SHINDE, J.)