

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

CRIMINAL BAIL APPLICATION NO.3041 OF 2018

Janardan Kondiram Makapalli

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....

Mr.Niranjan S. Mundargi i/b. Mr.Kunal D. Ambulkar, Advocate for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 10, 2019.

P.C. :

The applicant is seeking bail in POCSO Special Case No.64 of 2018, arising out of C.R.No.I-190 of 2018, registered with Nalasopara Police Station for the offence punishable under Section 376(2)(i), (j) and (k) of Indian Penal Code (“IPC”, for short) and Sections 4 and 6 of Protection of Children from Sexual Offence Act (“POCSO” for short). The prosecution case is that the applicant accused was acquainted with the family of the victim. The victim is a girl aged about 12 years was allegedly subjected to sexual assault by the applicant. The victim has attributed specific overtact to the applicant. Medical evidence also supports

the version of the victim, as there is injury to the hymen of the victim child. Learned advocate for the applicant submitted that the applicant is in custody from 21st May, 2018. He may be released on bail on imposing any condition. He is willing to stay out of the vicinity of the victim. However, considering the nature of allegations, which are corroborated by the medical evidence, no case for grant of bail is made out. Learned counsel for the applicant submitted that the trial be expedited. Considering the workload of the trial Court, it is not possible to issue such directions. Criminal Bail Application stands rejected and disposed of.

(PRAKASH D. NAIK, J.)