

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2001 OF 2018
IN
CRIMINAL APPEAL NO. 1549 OF 2018**

Babalu Prakash Gaikwad	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Rajesh S. Jadhav for the Applicant

Mrs. P. P. Shinde, A.P.P for the Respondent No.1-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY. 14th MARCH 2019

P.C. :

- 1 Heard learned counsel for the applicant.

- 2 By this application, the applicant seeks his enlargement on bail pending the hearing and final disposal of his appeal.

- 3 Perused the evidence with the assistance of the learned counsel for the parties. A perusal of the evidence of the prosecutrix (PW 4) shows the manner in which she was abducted, taken to a place where she was sexually assaulted by the applicant. The prosecutrix

has identified the applicant as having sexually assaulted her. The medical evidence of Dr. Swati (PW 7) corroborates the evidence of sexual assault.

4 Considering the evidence on record, this is not a fit case to enlarge the applicant on bail. The application is accordingly rejected.

5 Since the applicant is in custody for the last five years, the hearing of his appeal is expedited. Registry to take steps to prepare the paper-book expeditiously. The applicant is also at liberty to file a separate paper-book, if he so desires.

6 As soon as the paper-book is ready, the matter to be added o the final hearing board.

7 Application is disposed of accordingly.

REVATI MOHITE DERE, J.