

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CRIMINAL APPELLATE JURISDICTION

## BAIL APPLICATION NO. 75 OF 2020

Ajay Ramesh Kamble

....Applicant

v/s.

The State of Maharashtra

....Respondent

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Mr. Vaibhav V. Ugle, Advocate for the applicant.

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

PSI, J.V. Lambhe, Mankhurd Police Station  
present.***CORAM : SANDEEP K. SHINDE, J.******Tuesday, 11 February, 2020.*****P.C. :**

1. Applicant-accused no.4 in Sessions Case No. 647/2019 is seeking his enlargement on bail. I have perused the final report. It is prosecution's case that, victim of sexual assault was subjected to gangrape by unknown persons who were identified by her in the test identification parade. Prima-facie, the medical report does not corroborate the allegations. However, in view of

the fact that, applicant has been identified by the victim and also in view of her statement under Section 164 Criminal Procedure Code, at this stage, I have no reason to disbelieve her. Learned Counsel for the applicant submits that, there are material contradictions in the FIR and her supplementary statement recorded on 21<sup>st</sup> January, 2019. Learned Counsel further submits that, applicant has been arrested on suspicion and till date, the charge has not been framed.

2. In view of the facts of the case and nature of accusations and also in view of age of the applicant who is 19 years old, the learned trial Court is requested to conclude the trial, preferably before 31<sup>st</sup> December, 2020.

3. If the trial is not concluded, the applicant may apply for his enlargement on bail.

4. The Bail Application is disposed off in above terms.

(SANDEEP K. SHINDE, J.)