

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

BAIL APPLICATION NO.2224 OF 2019

Ganesh Bhikaji Banjare ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Ms. Himneel R. Borse i/by Mr. N.K.Singh for the Applicant.
Ms. P.P.Shine, APP for the Respondent-State.
PSI Tushar Kale attached to Powai Police Station present.

CORAM : SANDEEP K. SHINDE J.
DATE : 17th FEBRUARY, 2020

P.C. :

Heard.

2 Applicant is seeking his enlargement on bail in POCSO Special Case No.59 of 2018. Medical reports of the victim, prima-facie, indicate that she was subjected to penetrative sexual assault as is also suggested from her statements. At the time of the incident, victim was 10 years old, a slow learner.

2019.odt

3 At this stage, I have no reason to disbelieve the
victim's statement as well as medical evidence.

4 The learned APP on instructions submits that
charge has been framed against the applicant in the subject
case. In view of the gravity of the offence and evidence
available on record, application is rejected.

5 However, the learned Trial Judge is requested to
expedite the trial in POCSO Special Case No.59 of 2018.

6 Application is dismissed and disposed of
accordingly.

7 It is made clear that observations made
hereinabove be construed as expression of opinion only for
the purpose of refusal of bail and the same shall not in any
way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)