

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

LD-VC-BA NO.1101 OF 2020

(Ramprasad s/o Mohanlal Harinkhede Vs. State of Maharashtra thr. PSO PS Gondia
Gramin, Tq. & Dist. Gondia)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri S.S. Tambulkar, Advocate for Applicant.
Ms. Udeshi, APP for Non-Applciant/State.

CORAM: ROHIT B. DEO, J.

DATE: 3rd SEPTEMBER, 2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard.

3] The applicant is seeking bail in Crime 37/2020 registered with the Police Station Gondia (Gramin) for offence punishable under section 376 (a)(b) of Indian Penal Code with section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act'). The case of the prosecution is that two minor victims aged 7 and 8 were sexually assaulted by the applicant who is closely related to one of the victims. The incident occurred on 05.02.2020 and the victim aged 7 years narrated the same to her mother. The occasion to do so arose, since the

said victim was suffering from pain and her mother made the requisite inquiry.

4] The material on record reveals that the two victims were taken by the applicant to a farm. On the way the applicant purchased chocolate from grocery shop. The allegation is that after reaching the farm the applicant sexually assaulted the two victims.

5] There is more than ample material on record to link the applicant with the crime. The statement of the grocery shop owner is on record. The MLC notes that one of the victims has swollen vulva. Considering the gravity of the offence, the applicant is not entitled to bail.

6] The application is dismissed.

7] The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

NSN

Nitin
Nikhare

Digitally signed
by Nitin Nikhare
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2020.09.04
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