

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1464 OF 2021**

SHAILESH JANARADAN TIGADI

....Applicant.

V/s

THE STATE OF MAHARASHTRA

.....Respondent

Mr. Arun Rajput a/w Durgesh Rege i/b Mr. Subodh Pathak for the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent/State.

Mr. Joel Carlos for the Complainant.

PI Aargade, Dadar Police Station, present.

CORAM: NITIN W. SAMBRE, J.

DATE: NOVEMBER 29, 2021

P.C.:-

1] Heard learned Counsel for the Applicant and the learned APP assisted by learned Counsel for the complainant.

2] I have perused the statement of victim dated 3/1/2020 and other material on record. It appears that incident alleged to have taken place during day time when mother and brother of the victim were very much present at home. The claim that the said incident took place when both of them were sleeping cannot be believed particularly having regard to nature of allegations of sexual assault. Apart from above, even the

incident in relation to earlier occasion does not specifically mention as regards the incident. However, what has been mentioned is only about infection suffered by the victim girl. Complainant in the FIR has taken support about moral support given by the sisters of the Applicant in the matter of lodging of the complaint. In the statements of said witnesses, they have not supported the case of the prosecution.

3] In that view of the matter, case for grant of bail is made out.

4] Applicant is directed to be released on bail in connection with Special Case No.354 of 2020 in the matter of FIR bearing No.06/2020 registered with Dadar Police Station on executing P.R. Bond in the sum of Rs 15,000/- with one more more sureties in the like amount. Applicant shall neither directly or indirectly influence the prosecution witnesses nor tamper with the evidence. Applicant also shall not directly or indirectly try to contact the victim or her family members till conclusion of the Trial. Applicant shall not enter the jurisdiction of the concerned Police Station where victim and her family members reside till conclusion of the trial.

(NITIN W. SAMBRE, J.)