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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL BAIL APPLICATION NO. 2570 OF 2021**

UMESH SONILAL RAJAK

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Ms. Anjali Patil i/b Nauma Shaikh for the applicant

Mrs. J. S. Lohokare APP for the State

Ms. Swati Yele, API, Tilak Nagar Police Station

**CORAM : NITIN W. SAMBRE, J.**

**DATE: DECEMBER 13, 2021.**

**P.C.:**

1] Applicant is seeking regular bail in C.R. No. 84/2021 registered with Tilak Nagar Police Station for Offences punishable under Sections 376, 376(3), 506 of the Indian Penal Code and under Section 4, 6 and 8 of Protection of Children from Sexual Offences Act, 2012.

2] Perused investigation papers, statement of victim and other witnesses namely Shehnaz Shaikh and Nikhil Vagar who have stated about the alleged offence committed by the applicant and medical

case papers.

3] Medical evidence does not justify the prosecution case particularly when the offence is alleged to have taken place on 07/03/2021 and immediately the victim had her menstrual cycle .

4] Apart from above, there is absence of external injuries. Hence strong case against the applicant can't be inferred at this stage. That being so, case for bail is made out.

(i) Applicant be released on bail in C.R. No. 84/2021 registered with Tilak Nagar Police Station for Offences punishable under Sections 376, 376(3), 506 of the Indian Penal Code and under Section 4, 6 and 8 of Protection of Children from Sexual Offences Act, 2012 upon furnishing P.R. bond in the sum of Rs. 15,000/- with one or more sureties in the like amount.

(ii) Applicant shall neither influence the witnesses nor tamper with evidence in any manner.

(iii) Applicant shall remain outside the jurisdiction of concerned police station till the charge is framed.

5] Application stands disposed of.

**[NITIN W. SAMBRE, J.]**