

BDP-SPS-TAC

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2021.12.15
16:05:59 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 432 OF 2021**

AMIT MAHENDRA RAJBHARApplicant.
V/s
THE STATE OF MAHARASHTRARespondent

Ms. Nazneen Khatri for the Applicant.
Mrs. J. S. Lohokare, APP for the Respondent/State.
Ramesh Shirosh, Head Constable, Mira Bhayandar.Vasai Virar
Commissionerate, present.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 13, 2021

PC.:-

1] Applicant is seeking regular bail in C.R. No. I-357 of 2018 registered with Mira Road Police Station for the offence punishable under Sections 376, 377, 506 of the IPC, under Sections 4, 5, 6, 13, 14 of POCSO Act and under Section 66(c), 67 of the Information Technology Act.

2] Submissions of the Counsel for the Applicant are, Applicant was in love affair with the victim and relations were consensual. According to her, as far as offence under IPC is concerned, there is no material on record to infer prima facie involvement of the Applicant.

3] As far as offence under the provisions of POCSO is concerned, victim's statement and other evidence has sufficiently implicated the

Applicant in crime.

4] Apart from above, report from Forensic Science Laboratory is yet to be received so as to infer that Applicant was not instrumental in hijacking or forwarding the message. That being so, case for bail is not made out.

5] Application for bail stands rejected.

6] However, Director, Forensic Science Laboratory is directed to expedite the process of analysis and submit the report in any case within a period of four months from today. Once such report is received, liberty to the Applicant to apply afresh before the Court below.

7] Application is disposed of.

(NITIN W. SAMBRE, J.)