

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

CRIMINAL BAIL APPLICATION NO. 1363 OF 2021

Mr. Raju Chandramani Dhotre .. Applicant
v/s.
The State of Maharashtra .. Respondent.

Mr. Rahul Khot i/b. Sartaj Pathan, for the Applicant.
Smt. A. A. Takalkar, APP for the Respondent-State.

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CORAM: SARANG V. KOTWAL, J.
DATED : 6th JANUARY, 2022.
(THROUGH VIDEO CONFERENCING)

PC:-

Applicant is seeking release on bail in connection with CR No.325 of 2020 registered with R.C.F. Police Station under Section 377, 506 of Indian Penal Code and under Section 6 & 12 of Protection of Children from Sexual Offences, 2012.

2 Applicant was arrested on 5th October, 2020 and since then, he is under the custody. The charge-sheet is filed. The investigation is over.

3 FIR is lodged by mother of the victim. Victim was 17 years of age. On 5th October, 2020, when the informant saw a message on her son's mobile phone. It was sent by the Applicant. He was calling the victim to his house. Informant checked her son's mobile phone. She came to know that the Applicant was frequently calling her son to his house. She took the victim in confidence and made enquiry. At that time, her son told her that the Applicant invited the victim in his room. The Applicant had

unnatural sex with the victim. The Applicant always threatened the victim that if victim told the same to his parents, there would be trouble. The victim was subjected to unnatural sex by the Applicant.

4 Learned Counsel for the Applicant submitted that there is no evidence to support the prosecution case. The charge-sheet was already filed.

5 Learned APP opposed these submissions and relied upon statement of victim.

6 I have considered the submissions. Victim has given his statement on 6th October, 2020. He has narrated that since February, 2020, Applicant used to take him to his house and subjected him to unnatural sex. He was continuously keeping the victim under pressure. He was scared. He was of tender age.

7 Thus, there are serious allegations against the present Applicant under the POSCO. The medical opinion is silent but medical examination is conducted after a few month. Therefore, at this stage, there is no reason to doubt the story of the victim. The offences are serious in nature. No case for bail is made out.

8 Application is rejected.

(SARANG V. KOTWAL,J.)