

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

CRIMINAL BAIL APPLICATION NO. 3028 OF 2021

Ganesh @ Prathamesh Prakash Kambale ..Applicant
V/s.

The State of Maharashtra & anr. ..Respondents

Mr.Umesh Mankapure for the Appellant.

Mr.R. M. Pethe, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

**DATE : 4 JANUARY 2022
(Through Video Conference)**

P.C.

1. This is an application for bail. The Applicant has been chargesheeted for offence punishable under Sections 323, 506 of Indian Penal Code and under the provisions of the Protection of Children from Sexual Offences Act, 2012 (the said Act).

2. The record discloses that there are two victims who are aged about 8 years and 6 years. The victim boys were neighbours of the Applicant. The Applicant is one of the co-accused and other person involved in the incident is said to be a juvenile in conflict with law, and he is proceeded against before the Juvenile Justice Board.

3. A perusal of the statement of one of the victim who is aged about 8 years, *prima facie*, indicates that the offence is made out as defined under Section 3(d) of the said Act, in which the Applicant had put his penis in the mouth of the child and the video of the incident was taken.

4. Upon hearing learned counsel for the parties and perusal of the investigation papers, I do not find that a case for grant of bail is made out.

5. Criminal Bail Application is accordingly rejected.

(C.V. BHADANG, J.)

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