

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

CRIMINAL BAIL APPLICATION NO.3756 OF 2021

Vitthal Tabaji Shinde

...Applicant

Vs.

The State of Maharashtra & Anr.

... Respondents

Mr.Ganesh Bhujbal a/w Mr.Ajinkya Mohan Udane for the Applicant.

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

Mr.Deepak Pote for Respondent No.2.

Mr.Sunil Nathu Ugale, PSI, Shirur Police Station.

CORAM : C.V. BHADANG, J.

DATE : 6 APRIL 2022

P.C.

. By this Application, the Applicant is seeking bail in Crime No.395 of 2021 registered with Shirur Police Station, under Section 376(2)(f), 376(2)(n), 323, 504, 506 of the Indian Penal Code and Section 4,6,8,10,12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act')

2. The allegation is that the Applicant had forcible sexual intercourse with the Victim from May 2020 to 31 May 2021 on multiple occasion on the promise of marriage.

3. The victim is born on 15 December 2005 and was about 15 years of age during which the sexual abuse is alleged. The Applicant happens to be cousin brother of the mother of the victim and is her neighbour.

4. The Applicant was arrested on 22 June 2021. In this case after investigation a charge-sheet is filed.

5. The learned counsel for the Applicant has submitted that there is a FIR lodged by Tulsabai Shinde, the mother of the Applicant on 4 June 2021 on the basis of which an offence is registered against the relatives of the informant, who is mother of the victim and others. It is submitted that the present complaint is by way of a counter blast. He submitted that the Applicant has been falsely implicated.

6. The learned Additional Public Prosecutor, assisted by the learned counsel for the informant, has pointed out the Medical Certificate, which supports allegation of the sexual abuse of the victim. It is submitted that the victim had hardly completed 14 years and 6 months in May 2020.

7. Considering the overall circumstances, I do not find that a case for grant of bail is made out at this stage. The trial can be expedited.

8. In the result the Criminal Application is disposed of.
The trial stands expedited.

9. Liberty to the Applicant to renew the request for bail,
after six months, if there is no substantial progress in the trial.

C.V. BHADANG, J.