

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.392 OF 2022

(MAROTI YASHWANTRAO PATURKAR....VS.. STATE OF MAH. THR. PSO PS BELTARODI & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.D.Kinge, Advocate for Applicant.
Shri A.M.Deshpande, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JUNE 24, 2022.

1. Heard.
2. This is an application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 0372 of 2021, registered with Police Station, Beltarodi, Nagpur for the offences punishable under Sections 354, 354-A, 504, 506, 376 of the Indian Penal Code read with Sections 4 & 9 of the Protection of Children from Sexual Offences Act, 2012.
3. The learned counsel for the applicant submits that he is in jail since last about 10 months and that the charge-sheet has already been filed, custody of the applicant is not necessary. He further submits that there are discrepancies in medical report and as such there is no possibility of being convicted in the alleged offence. Accordingly, he prays for grant of bail.

4. The learned A.P.P. strongly opposed the present application. He submits that the applicant is the father of the victim and the allegations are so serious that in such heinous crime this Court may not grant bail to the applicant.

5. He further submits that being father of the victim there is every possibility that he may pressurize the victim and other prosecution witnesses. Accordingly, he prays for rejection of the present application.

6. I have perused the charge-sheet and the material collected by the Investigation Officer during investigation.

7. The allegations in this case are very serious. The victim has alleged continuous sexual harassment at the hands of her father. It is a heinous crime. Moreover, he being the father, there is every possibility that he may pressurize the victim and other prosecution witnesses, if he is released on bail. Accordingly, I pass the following order:

The application is **rejected**.

JUDGE

RRaut.

Signed By: RAJIV BABARAO RAUT
PRIVATE SECRETARY
Signing Date: 24.06.2022 18:32