

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1535 OF 2023

TUKARAM @ SAKHA DNYANDEV GHULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Ghanekar Nilesh S.
APP for Respondent/s-State : Mr. S. P. Tiwari.
Advocate for Respondent No.2 : Mr. Andhale Sandip Ramnath
(Appointed Through Legal Aid).
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CORAM : S. G. MEHARE, J.
DATE : 27.10.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-state and learned counsel for the victim/respondent No.2.
2. Learned counsel for the applicant has placed an order of this Court dated 29.08.2023 passed in similar crime. The co-accused Anand had applied for bail. This Court (Coram : S. G. Chapalgaonkar, J.) after a thorough discussion on the facts, refused the bail to the accused.
3. Perused the bail application. It has been alleged against the applicant that he is an accused of committing sexual assault with the 10 years old victim. There was CCTV footage

depicting that the applicant took the victim on motorcycle. The offence was registered against unknown person, but the applicant was identified in test identification. The offence is heinous. A ten years girl was raped. *Prima facie* sufficient evidence is available against the applicant. The CDR also confirmed the locations of the applicant on the spot of the incident. There is also recovery of the incriminating evidence against the applicant.

4. Considering the allegations levelled against the applicant along with the nature of the offence, the Court is of the view that this is not a fit case to grant bail to the applicant.

5. For the above reasons, the bail application stands dismissed.

6. The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal fees to advocate Mr. Andhale as per the schedule.

(S. G. MEHARE, J.)

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vmk/-