

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 234 OF 2023

Rameshwar Singh ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Abhishek Yende instructed by Ms. Surbhi Agrawal for the Applicant.
Ms. Rutuja Ambekar, APP alongwith Mr. P.H. Gaikwad-Patil, APP for the State.

Mr. Yuvraj Dhole for Respondent No.2.

PSI Shubhangi Magdum, Vishrantwadi Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 13 FEBRUARY 2023

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 284 of 2022 registered at Vishrantwadi Police Station, Pune for the offences punishable under Sections 354, 376, 376(2)(f), 376(2)(n), 506 of Indian Penal Code and Sections 4, 8, 12 of the Prevention of Children from Sexual Offences Act, 2012.

3. The allegations against the present applicant and other co-accused, who are grandfather, father and uncle of the victim are of penetrative sexual assault/sexual assault.

4. I have heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for Respondent No.2.

5. The learned Counsel for the applicant submits that, as regards the present applicant who is grandfather of the victim, there are no allegations of penetrative sexual assault. It is submitted that there is a delay in lodging the report. It is further submitted that the applicant is aged about 70 years and there is no need of custodial interrogation.

6. I have perused the statement of victim recorded under Section 164 of Cr.P.C. According to the victim, the present applicant attempted to commit sexual intercourse with her, and touched her private parts on various occasions. Considering the nature offence, I am not inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is rejected.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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