

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3434 OF 2023

Abhijeet Rajendra Pawar

Applicant

versus

1. The State of Maharashtra
2. A.B.C.

Respondents

Mr.Ramji T.Kotali i/by Mr.V.S.Sonawane, Advocate for Applicant.

Mr.Ram D. Chaturi, Advocate for Respondent no.2.

Mr.Sameer M.Mangaonkar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 26th June 2024

PC :

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.200 of 2023 registered with Aatpadi Police Station, District Sangli, for the offences punishable under Sections 376(2)(J), 376(2)(L), 376(2)(N), 376(3), 506 of the Indian Penal Code r/w Sections 4, 5(J)(2)(L), 6, 8, 12 of Protection of Children from Sexual Offences Act, 2012.

3. The allegations are of sexual assault committed by the applicant on a minor girl.

4. There is a statement of the victim recorded u/s.164 of Cr.PC which supports the case of prosecution. Further more other evidence is also available on record which also shows prima facie involvement of the Applicant in the crime. Though DNA report does not show that

Applicant is the biological father of the femur of baby, there is sufficient evidence to prima facie show that Applicant is involved in the offence.

5. Moreover, the letter issued by the father on 7th September 2023 to police giving clean chit to the Applicant and stating the names of other persons namely Ritesh Raja Kale, Akshay Jitendra Kale and Aditya Jitendra Kale indicates that if the Applicant is released on bail, he may pressurize the prosecution witnesses.

6. In the circumstances, at this stage I am not inclined to grant bail to the Applicant. Accordingly, the Application is rejected. Liberty is granted to the Applicant to move afresh after one year before the Trial Court, if there is no progress in the trial.

(ANIL S.KILOR, J.)

MST