

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

CRIMINAL BAIL APPLICATION NO. 1357 OF 2023

Pralhad Baluram Prajapati

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Rahul Mishra a/w Kajal Patil, Chaitali Bhoir for Applicant

Ms. Veera Shinde, APP for the Respondent-State

Mr. Maaz Ansari for Respondent No.2-Complainant

CORAM: MADHAV J. JAMDAR, J.

DATE: 11th JANUARY 2024

P.C.:

1. Heard Mr. Mishra, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent-State.

2. This is a regular Bail Application preferred under Section 439 of the *Code of Criminal Procedure, 1973* seeking bail in the offence which is punishable under Sections 376, 376(3), 504 and 506 of the *Indian Penal Code, 1860* registered with the Kharghar Police Station, District-Raigad, *vide* C.R. No. 251 of 2022.

- 3.** As per the prosecution case, the Applicant has sexually assaulted the victim who is aged about 16 years and 4 months. The victim is a relative of the Applicant and in fact the Applicant is maternal uncle of the victim.
- 4.** The offence is of very serious in nature. There are several incriminating circumstances. The evidence also includes C.C.T.V. footage.
- 5.** As the Applicant is a near relative of the witnesses including the victim, it is very likely that he will make an attempt to influence or threaten the witnesses.
- 6.** Accordingly, this is not a fit case for granting bail to the Applicant. However, liberty is granted to the Applicant to file a fresh Bail Application if the trial is not concluded within a reasonable time.
- 7.** The Application is rejected and disposed of as such.

(MADHAV J. JAMDAR, J.)