

Shailaja

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

CRIMINAL BAIL APPLICATION NO.3320 OF 2022

Vinod Shrinath Kanojiya and another] **Applicants**
vs.
The State of Maharashtra and another] **Respondents**

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Mr. R.K. Upadhyay, for Applicant.

Ms. Anamika Malhotra, A.P.P, for Respondent No.1 – State.

Ms. Nishita Khairmode, for Respondent No.2.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 12th JANUARY, 2024.

P.C.

1. Applicants are being prosecuted for the offences punishable under sections 363, 376 (2) (i), 376 (3), 376 (d) (a) and 506 of the Indian Penal Code r/w sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Having heard the learned Counsel for the applicant, learned A.P.P and learned Counsel for respondent No.2 – victim and having perused the statement of the victim recorded by the Judicial

Magistrate First-Class under section 164 of the Code of Criminal Procedure, 1973 which finds corroboration from the medical certificate of the victim indicating hymen ruptured and biting marks on cheeks which has already been stated by her in her statement under section 164 of the Cr.P.C before the J.M.F.C. Sufficient material exists to deny bail to the applicants.

3. When this Court expressed it's disinclination to grant bail, learned Counsel for the applicant seeks to withdraw the same with a prayer to expedite the trial.

4. The application is rejected as withdrawn.

5. The Special Court shall make an endeavour to dispose of Special Case No.120 of 2022 as early as possible within one year from the date of framing the charge. In case, it is not disposed of as above, liberty to the applicants to apply for bail, afresh.

6. The application stands disposed of in the aforesaid terms.

[PRITHVIRAJ K. CHAVAN, J.]