

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.836 OF 2024

Ganesh Paharam Buddakshetri ... Applicant

V/s.

State of Maharashtra and Anr. ... Respondents

Mr. Nitin Sejpai, for the applicant.

Ms. Priyanka Rane, APP, for the Respondent / State.

Mr. Nikhilesh Pote with Tanmay Jadhav, for respondent no. 2.

CORAM : ANIL S. KILOR, J.

DATE : 23RD AUGUST, 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.2262 of 2020, registered with Warje Malwadi Police Station, Pune City, for the offences punishable under Sections 376(2) (n) r/w 34 of the Indian Penal Code and Sections 3, 4, 5, 6 and 21 of the Protection Of Children from Sexual Offences Act, 2012

3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence and the prosecution story is improbable. He further argues that the applicant is in jail from more than 3 years and since the charge-sheet has been filed, further

custody of the applicant is not necessary.

4. Having gone through the charge-sheet and the material collected by the IO during the investigation, it is evident that the offence is heinous and there is ample incriminating evidence including medical report which prima facie supports the case of the prosecution. The victim was 9 years old at the time of incident and considering the statement given by the victim under Section 164 of Cr.P.C., I am of the opinion that the applicant is not entitled for grant of bail. Accordingly, it is rejected.

(ANIL S. KILOR, J)