

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1395 OF 2024

Javed Asgarali Sayyed ... Applicant.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Ms Neetu Singh, Advocate for Applicant

Ms Priyanka S. Rane, APP for the State.

Ms S.S.Ambedkar, Advocate (appointed) for Respondent No.2.

CORAM : ANIL S. KILOR, J.

DATED : SEPTEMBER 25, 2024.

RAJIV
BABARAOJI
RAUT
Digitally signed
by RAJIV
BABARAOJI
RAUT
Date: 2024.09.26
10:30:03 +0530

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.189 of 2023, registered with Boisar Police Station, District : Palghar for the offences punishable under Sections 376(3), 376AB, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 67B of the Information Technology Act, 2000.
3. Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that the offence is heinous and the applicant has not

only sexually assaulted his sister-in-law but also sexually abused his own 3 years' minor daughter. The statement of the victim – sister-in-law of the applicant, recorded under Section 164 of the Code of Criminal Procedure, supports the case of the prosecution. It has also come on record that the applicant has made viral the obscene videos of the victim.

4. Thus, considering the fact that sufficient incriminating material is available on record to show the involvement of the applicant, he is not entitled for bail.
5. Accordingly, the Criminal Application is **rejected**.
6. The fees of Shri S.S.Ambedkar, Advocate appointed to represent the respondent No.2 be quantified as per the Rules.

(ANIL S. KILOR, J)