

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4526 OF 2024

Deepak S. Anjikhane

...Applicant

V/s.

State of Maharashtra & Anr.

...Respondents.

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Mr. Mayuresh Ingale for the Applicant.

Mrs. Anamika Malhotra, APP for the Respondent/State.

Ms Sangita Walke for the Respondent No.2.

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CORAM : N.R. BORKAR, J.
DATE : 25.03.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.464 of 2024 registered at MIDC Police Station, Solapur city for the offences punishable under Sections 376, 376(AB), 376(2)(j), 376(2)(n), 506 of the Indian Penal Code, 1860 and Sections 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. The applicant is the stepfather of the victim. At the relevant time, the victim was aged about 11 years 8 months. The allegations against the applicant are of aggravated penetrative sexual assault. According to the prosecution, the applicant on many occasions with sexual intent had touched the private parts of the victim. It is alleged that on two to three occasions he had removed her undergarments and inserted his fingers in her private part.
4. I have heard the learned counsel for the applicant and the

learned APP for the respondent – State and the learned counsel for the respondent No.2/victim.

5. Learned counsel for the applicant submits that the complainant (mother of the victim) is in the habit of lodging the false complaint with ulterior motive. It is submitted that earlier also the complainant had made false allegations of rape against the applicant and the Court has acquitted the applicant from the said charges. Learned counsel for the applicant submits that the applicant is in jail for about 7 months and the trial is not likely to be concluded in the near future. It is thus submitted that the applicant may be released on bail.

6. On the other hand, learned APP for the respondent/State and the learned counsel for respondent No.2/victim submit that the complainant and the applicant were in relationship. It is submitted that after lodging the earlier FIR, they got married. It is submitted that there is nothing to show that after marriage there were disputes between them, to infer the false implication. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the FIR and the statement of victim recorded under Section 164 of the Cr.P.C. The victim has stated that the applicant used to touch her private parts. Considering the nature of offence, I am not inclined to release the applicant on bail. Hence, the Application stands rejected.

[N.R.BORKAR, J.]