



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.1223 OF 2024
(Sachin s/o Bhimrao Meshram Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.J. Dhoble, Advocate for the applicant.
Mr. A. Ghongre, APP for the State.
Ms A.R. Sharma, Advocate (appointed) for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 4, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 14/09/2024 in connection with Crime No.737/2024 registered with police station Gittikhadan, Nagpur for the offences punishable under Sections 64, 65(1), 74, 75(1)(ii) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 135 of the Maharashtra Police Act.

2. The crime is registered on the basis of report lodged by the victim girl aged about 14 years on an allegation that she is subjected for the sexual assault by the step father when she was alone in the house. On the basis of the said report, police have registered the crime against the present applicant. The investigation papers shows that she was medically examined and during medical examination the Medical Officer found that edges of the hymen is not normal. After completion of the investigation, the charge-sheet is filed.

3. Learned Counsel for the applicant submitted that the FIR is rather delayed. The applicant is falsely implicated in the alleged offence. He further stated that now the investigation is completed and charge-sheet is filed, further custodial interrogation of the applicant is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed the application on the ground that a father who was staying with the mother of the present victim subjected the victim who is only 14 years of age for the forceful sexual assault as well as molestation. If he is released on bail he would tamper the prosecution evidence, and therefore, the application deserves to be rejected.

5. On perusal of the entire investigation papers, the involvement of the present applicant reveals from the statement of the victim as well as from the medical certificate which is placed on record. As far as delay is concerned at this stage, not much importance can be given to the such delay.

6. Considering the *prima facie* material against the present applicant, the bail application deserves to be rejected.

7. The application is rejected accordingly.

8. The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)