

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2096 of 2017**

Kallimali S/o Suaalal Aged About 22 Years R/o Karauli Atewa
Police Karauli, District - Karauli, Rajsthan.

---- Applicant**Versus**

State Of Chhattisgarh through its Police Station,Viddhansabha,
Civil & Revenue Distrcit- Raipur, Chhattisgarh

---- Respondent

For applicant
For Respondent/State

Mr. B.L. Sahu, Adv.
Mr. Anant Bajpai, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****13-7-2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 1-2-2017 in connection with Crime No. 21/2017 registered in PS Vidhansabha Raipur, (CG) for offence punishable under Section 370 and Section 370A sub-section (2) of the Indian Penal Code, 1860.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed and the same is pending before the Additional Sessions Judge/ Special Judge under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in brevity 'STSC Act'), Raipur as ST No. 117/2017. This is his first bail application before this Court. He is first offender. He is aged about 22 years and an illiterate person. Victim is aged about 23 years and with the consent of the victim he married with the victim hence he had not committed any offence. He may

be granted bail. He further submits that co-accused Smt. Radha Bai Baghel preferred MCRC No. 1523/2017 for her release on bail which has been dismissed by the coordinate bench on 21-3-2017. Two accused are shown absconding in the charge sheet. Co-accused Kalla @ Om Prakash and Suman @ Swarn have not preferred any petition for bail.

4. Per contra, learned counsel for the State opposes the bail application.
5. Perused the statement of the victim recorded under Section 161 of the Cr.P.C. during investigation and other witnesses. As per facts surfaced, the victim was trafficked and sold to present applicant and without consent of the victim, the present applicant before the notary executed some document. Details of the said document was not known at the time of said execution. On consideration of the evidence collected, as the victim was subjected to harassment, trafficking along with sexual exploitation without her consent and will, I am not inclined to grant bail to the applicant.
6. Consequently instant MCRC is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge