

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 22 OF 2019

Babita W/o Ganesh Hiwrale	... Applicant
Vs.	
The State of Maharashtra	... Respondent

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Mr. Mohsin Khan Pathan for the applicant.
Mr. Prashant Jadhav, APP for the Respondent-State.
Mr. T.K.Sawant, PSI, Ambarnath, Police Station is present.

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CORAM : PRAKASH D. NAIK, J.
DATE : 30th JANUARY, 2019.

P.C.

1. This is an application for bail in connection with CR No. 34 of 2017 registered with Ambarnath Police Station for the offence punishable under Sections 363, 366, 370, 420, 468, 471, 120-B of Indian Penal Code.
2. The case of the prosecution is that the applicant accused had taken the minor girl to Gujarat and has performed marriage with Bhavesh Kapopare and took an amount of Rs.1,52,000/-. Victim was brought to Ambarnath. Statement was recorded during the course of investigation. Victim was apparently minor at the time of solemnization of the marriage. It is alleged that the applicant

had represented that the victim is orphan. The statement was recorded during the course of investigation which indicate that the person with whom the marriage was performed had parted an amount of Rs.1,52,000/- to the applicant.

3. Learned counsel for the applicant submitted that co-accused has been granted bail by this Court. Applicant is a lady and she is in custody. There is nothing on record to show that the victim was minor at the time of incident. It is therefore prayed that applicant be granted bail.

4. Learned APP submitted that accused is involved in a human trafficking. Marriage are solemnized in Gujarat on receipt of consideration. Crime is serious in nature.

5. On perusal of the documents and considering the evidence on record, it is apparent that applicant has played vital role in the alleged crime. Bail granted to the co-accused but his case stands on a different footing. In the circumstances, no case for grant of bail is made out. Hence, application is rejected.

(PRAKASH D. NAIK, J.)