

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1952 of 2021

Junaid S/o Ahmad Ali Aged About 22 Years Caste Musalman,
R/o Raza Nagar, Ward No. 21, Dongargarh Police Station And
Tahsil Dongargarh, District Rajnandgaon Chhattisgarh.----

Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police
Station Dongargarh, District Rajnandgaon Chhattisgarh, ---

Respondent

For the applicant	: Mr. Dharmesh Shrivastava, Advocate
For the Respondent	: Mr. Ashish Tiwari, Govt. Advocate

MCRC No. 2149 of 2021

Ganga Pandey W/o Sahdev Pandey Aged About 37 Years R/o
Village Pandri Tarai, Opposite Gagan Kirana Dukan District
Raipur, Chhattisgarh.

--- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, P.S.
Dongargarh, District Rajnandgaon Chhattisgarh. ----

Respondent

For the applicant	: Mr. Rahil Kochar, Advocate
For the Respondent	: Mr. Ashish Tiwari, Govt. Advocate

MCRC No. 2264 of 2021

Smt. Rekha Gupta, W/o Shri Tara Chand, Aged About 43
Years By Caste Gupta, R/o Village Khetdi, Tahsil Khetdi
District Jhunjhunwala (Rajasthan), Rajasthan

--- Applicant**Versus**

The State of Chhattisgarh through Police Station Dongargarh,
District Rajnandgaon Chhattisgarh. ---

Respondent

For the applicant : Mr. Parag Kotecha, Advocate
 For the Respondent : Mr. Ashish Tiwari, Govt. Advocate

MCRC No. 3226 of 2021

Suresh S/o Gokul Aged About 31 Years By Caste Pardeshi, R/o
 Village Adgaon, Tahsil Bhokardan, District Jalna, Maharashtra.,
 District : Jalna, Maharashtra
--- Applicant

Versus

State of Chhattisgarh through Police Station Dongargarh,
 District Rajnandgaon Chhattisgarh. **--- Respondent**

For the applicant : Mr. Parag Kotecha, Advocate
 For the Respondent : Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.07.2021

1. These are first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 550/2020 registered at Police Station Dongargarh, Distt. Rajnandgaon (C.G) for the offences punishable under Sections 363, 365, 366, 368, 506, 370A(2), 376, 120-B, 34 of IPC.
2. As per the prosecution case, a missing report was lodged by the husband on 11.09.2020 that his wife along-with child aged about 3 years were missing. Thereafter, the victim came back and made an FIR on 22.11.2020 wherein it was stated that the applicants in connivance with each other kidnapped the lady by administering certain intoxication on her, thereafter she was threatened on the knife point that if she discloses the fact, her child would be killed and on that

threat she was firstly taken to Delhi and subsequently to Haryana. Thereafter, she was kept in a house and sold her for Rs.1 lakh to accused Suresh. Subsequently, she was sold to Rajesh Chandra for an amount of Rs.1.5 lakhs. It is stated that some-how or other she escaped and after her return, reported the matter to the police and after some time, she was sent back by the police to Durg.

3. Learned counsel for the applicants submit that only omni-bus allegations have been made against the applicants, no overt act has been reported by the victim against them and only name has been given on which no TIP has been conducted and the allegations of rape are not attributed to any of the applicants. It is stated that the lady herself went to Delhi and Haryana and she had not complained and she being major and married lady she could have raised the alarm , therefore, false allegations have been made. It is further submitted that the applicants are in jail since 20th November/December, 2020; charge sheet has been filed, therefore, they may be released on bail.
4. Per contra, learned State Counsel opposes the bail applications and submit that it is a case of human trafficking. He read out the statements of the victim under sections 161 & 164 of Cr.P.C. .
5. Perused the statements under sections 161 & 164 of IPC. The charge under section 120-B is also exists. Prima facie the statement would show that the victim was sold and shifted from one hand to another and she has categorically revealed the fact that she was under the threat on the knife point that her child, aged about 3 years, would be killed.

6. Considering the seriousness of the allegations, I am not inclined to allow these bail applications. Accordingly, the bail applications are rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao