

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****Criminal Appeal No. 537 of 2021**

- Rajkumari @ Rajvati Sidar wife of Akhilesh Yadav, aged about 23 years, resident of Village-Barkaspali, Police Station-Tapkara, District Jashpur (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh, Through : the Station House Officer, Police Station, Tapkara, District Jashpur (C.G.)

----State/Respondent

For Appellant	:	Shri Sanjeev Kumar Sahu, Advocate
For Respondent /State	:	Shri K.K. Singh, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Judgment on Board****28.07.2021**

1. This appeal by the accused/appellant under Section 14A (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is directed against the order dated 07.05.2021 passed by the Special Judge constituted under Section 14 of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989, Jashpur, rejecting his regular bail under Section 439 Cr.P.C. The appellant is in jail since 16.02.2021 in connection with Crime No. 27/2021 for the offence punishable under Sections 370, 201, 366 read with Section 34 of IPC and Sections 3(1) (h) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station- Tapkara, District Jashpur (C.G.).
2. As per the prosecution case, 12.02.2021, the prosecutrix/victim was taken by co-accused Akhilesh, Naresh Bai and the present appellant and was forced to marry with another person and in order to perform the marriage, the appellant alongwith co-accused Naresh Bai and Akhilesh with the help of mother of appellant had obtained money.
3. Learned counsel for the appellant submits that the statement of the

prosecutrix under Section 164 of Cr.P.C. would show that there is no disclosure about the involvement of the present appellant and she has been falsely implicated in this case. He also submits that the appellant is in jail since 16.02.2021, charge-sheet has been filed and conclusion of the trial is likely to take some time.

4. Prosecutrix is connected through video conferencing from District Legal Services Committee, Kunkuri, District Jashpur (C.G.) and she has objection to grant of bail to the appellant by this Court.
5. On the other hand, learned counsel for the State opposes the bail and submits that the appellant and other accused have been involved in human trafficking.
6. Considering the facts and circumstances of the case, considering the allegation made against the appellant, she alongwith other co-accused persons involved in human trafficking and they were selling the prosecutrix who is a tribal lady, further in the same crime, the regular bail application of co-accused namely Naresh Bai was rejected by the coordinate bench of this Court vide order dated 20.07.2021 passed in M.Cr.C. No. 2076 of 2021, without commenting anything on merits of the case, this Court is not inclined to release the appellant on bail. The order impugned of the trial Court rejecting the appellant's bail application does not suffer from any illegality or perversity. Accordingly, the present appeal being without any substance is hereby dismissed.

Sd/-

(Gautam Chourdiya)
Judge