

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 124 of 2021**

- Ramkaran Meena S/o Shri Amarlal Meena Aged About 30 Years R/o Village Surajpuramal, Post Jhanjhani, Police Station Harnaud, Tahsil Chhepabdouda, District Bara, Rajasthan ---- **Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, District Rajnandgaon, Chhattisgarh. ---- **Non-applicant**

For Applicant : Mr. D. Kushwaha, Advocate.

For State : Dr (Ms) Veena Nair, Dy. Adv. General

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****10-02-2021**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 2-12--2020 in connection with Crime No. 587 of 2020 registered at Police Station City Kotwali, District Rajnandgaon (CG) for the offence punishable under Sections 363, 366, 419 and 370(4), 34 of IPC.
2. The case of the prosecution, in brief, is that on 16-11-2020 complainant made a missing report that his minor daughter aged about 15 years and 11 months was carried by Tarun Meshram and Ankita Meshram from his house Rajasthan and she did not return to his house. On the basis of report lodged in Police Station, an enquiry was conducted and during investigation, minor

girl was recovered by the Police and she narrated that she was abducted by co-accused persons namely Tarun Meshram and Ankita Meshram thereafter she was taken to Nagpur, Bhopal and Rajasthan. The co-accused persons sold her to present applicant for Rs.1,25,000/-, for being married to him. Thereafter, applicant was forcibly married to her, thereby the aforesaid offence committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, he is not main accused and main accused persons are Tarun Meshram and Ankita Meshram who had carried the prosecutrix and applicant has not committed any offence. He would further submit that prosecutrix has stated in her statement recorded under Section 164 of Cr.P.C., wherein she stated that she had gone with co-accused Tarun Meshram and Ankita Meshram on her own will to Nagpur, Bhopal and Rajasthan where she was married to present applicant on her own will at Rajasthan as per Hindu Rites. He would further submit that charge sheet has been filed, he is in jail since 2-12-2020, and conclusion of the trial is likely to take some time, therefore he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.

6. Perusal of the case diary reveals that minor girl aged about 15 years and 11 months was abducted by co-accused persons Tarun Meshram and Ankita Meshram and thereafter they sold her to present applicant for Rs.1,25,000/- for being married to him and thereafter applicant was forcibly married to her at Rajasthan. A notarized marriage agreement was also executed between prosecutrix and applicant.
7. Considering the facts and circumstances of the case, particularly looking to the age of the prosecutrix who is aged about 15 years and 11 months, the manner in which the applicant was married to her, without commenting anything on merits of the case, I am of the opinion that it is not a fit case to grant bail to the applicant.
8. Accordingly, the application is rejected.

Sd/-

(Gautam Chourdiya)
Judge

Raju