

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.877 OF 2021

(Sowan @ Sohan Gendlal Chavhan Vs. The State of Maharashtra thr. PSO PS Jiwati,
Dist. Chandrapur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. M. N. Ali, Advocate for Applicant.
Mr. N. S. Rao, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 22nd SEPTEMBER, 2021.

The applicant is seeking bail in connection with Crime 43/2021 registered with the Police Station Jiwati, District Chandrapur for offences punishable under sections 366, 366-A, 370 read with section 34 of the Indian Penal Code.

2. The role attributed to the applicant that he accompanied co-accused Pralhad Ambarao Jat and Arun Pralhad Jat to Mouza Malguda, Taluka Jiwati, District Chandrapur, in search of bride for co-accused Arun aged 22 years. Arun's father Pralhad Ambarao Jat contacted the father of the child victim, then aged 16 years, and proposed matrimonial alliance between the child victim and the co-accused Arun. Co-accused Shivaji Ade, who is a resident of the village allegedly played a prominent role in the negotiation. It is alleged that the father of the child victim, who is addicted to liquor, agreed to marriage since he was

lured with payment of Rs.1,10,000/- (Rupees One Lakh Ten Thousand only). The father of the child victim persuaded the child victim to accompany the accused and she agreed to accompany them apprehending that her father would otherwise ill-treat her brother who was opposing the proposed marriage. On the way to Chandrapur, the vehicle was intercepted and the child victim rescued.

3. It does not appear that the applicant was involved in kidnapping or human trafficking as such. It is true that he allegedly accompanied Pralhad Jat and his son Arun. It is not clear from material in the case diary whether any of the accused was aware that the child victim was not of marriageable age. Be that as it may, the applicant has no antecedents and if released on bail, the investigation is not likely to be hampered.

4. The applicant be released on bail subject to the following conditions:

- (i) The applicant shall be released on bail on executing personal bond of Rs.25,000/- (Rupees Twenty Five Thousand) with a solvent surety of like amount.
- (ii) The applicant shall not make any attempt to tamper with the evidence or to influence witnesses, directly or indirectly.

- (iii) The applicant shall attend each date of hearing scrupulously.
- (iv) The applicant shall not leave the country without the permission of the Trial Court.

JUDGE

NSN