

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

925 BAIL APPLICATION NO.1270 OF 2023

RAJENDRA NARESH RASKATLA
VERSUS
THE STATE OF MAHARASHTRA

WITH

BAIL APPLICATION NO.1289 OF 2023

RAJENDRA NARESH RASKATLA
VERSUS
THE STATE OF MAHARASHTRA

WITH

BAIL APPLICATION NO.1272 OF 2023

RAJENDRA NARESH RASKATLA
VERSUS
THE STATE OF MAHARASHTRA

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Advocates for Applicant : Mr. Syed G. R., Mr. Pathan M. M.
APPs for Respondent-State : Ms. V. N. Patil-Jadhav, Mr. Y. G.
Gujrathi, respectively.

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CORAM : S. G. MEHARE, J.
DATE : 08.08.2023

PER COURT :-

1. Bail Application 1272 of 2023 was not on board. Taken on board.
2. Heard the learned counsel for the applicant and the learned respective APPs for the respondent/State.

3. The applicant has been arraigned in all these crimes on the allegations that he was a member of the syndicate run by one Sultana for Human trafficking. In one incident, as alleged, two children were kidnapped. But, two separate crimes were registered, and the third one was about kidnapping a single child.

4. The prosecution collected the evidence against the applicant, particularly the Bank transactions between co-accused Sultana and the applicant. In Crime No.29 of 2022, there is no strong circumstantial evidence against the applicant. As far as two remaining crime bearing Nos.97 of 2022 and 64 of 2022 is concerned, the prosecution is relying upon the Bank statements and alleged that co-accused Sultana had transferred his share received in the crime. That proves the nexus of the applicant with the crimes.

5. The applicant has a case that he was well acquainted with Sultana and her father. He runs a car repairing garage. So, sometimes he was providing the vehicle on hire to needy persons. On one occasion, the co-accused Sultana also needed the car. So, he managed to provide her with one car. However, he did not know that Sultana misused the said vehicle to transport the minor children. The father of the Sultana is an

Electrician. The applicant used to supply him with copper wires. However, he was paying the money towards the copper wires through the Paytm of Sultana. Coincidentally, those transactions were from the same month in which the incident happened. He had a business transaction with the father of Sultana, who was never a member of the said syndicate. Except for the Bank transaction, there is no evidence against the applicant. The investigation has been completed. Nothing is to be recovered from him. Hence, he may be granted bail.

6. Learned APPs have strongly opposed all bail applications. They would submit that money transferred on the particular date is not co-incident. But, it is evidence that the applicant has received the share from human trafficking. Though the addresses of all accused are shown differently, they are residents of one and the same locality. The applicant has raised a false plea of business transaction with the father of co-accused Sultana. They also relied on the statements of the witnesses under Section 164 of the Cr.P.C. The offences are serious. All the accused run the syndicate of kidnapping the children and trafficking them.

7. The arguments advanced by the respective counsels reveal that the applicant has played a role in supplying the

vehicles. The prosecution has strongly relied upon the Bank transactions between the co-accused Sultana and him and claimed that, that was the money received to the applicant as his share.

8. The statements of the witnesses recorded in these crimes do not disclose the direct role attributed to the applicant. Considering the facts in toto and the material collected against the applicant, the Court is of the view that the role attributed to the applicant is remote, and the possibility of having his business transactions with the father of the co-accused Sultana cannot be ruled out. The investigation has been completed. Therefore, further detention of the applicant would serve no purpose. Hence, the following order :

ORDER

- (i) All Bail Applications are allowed.
- (ii) Applicant **RAJENDRA NARESH RASKATLA** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each with one solvent surety of like amount each, in Crime Nos.97 of 2022, 29 of 2022 and 64 of 2022 registered with Police Station Kotwali, District

Parbhani, for the offences punishable under Sections 363, 368, 370, 202 read with Section 34 of the IPC, on the following conditions :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall not contact the other co-accused till conclusion of the trial.
- (c) He shall not leave Parbhani town without written intimation to the Investigating Officer or P.S.O. Kotwali/Parbhani till the conclusion of the trial
- (d) He shall furnish his cell phone number/s to the Investigating Officer with an undertaking that he shall not change the cell phone number/s till the conclusion of the trial.
- (e) He shall attend the trial on each effective date.
- (f) He shall not indulge in a similar crime.

(S. G. MEHARE, J.)

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vmk/-