



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

BAIL APPLICATION NO.1825 OF 2024

Shravani D/o Venkateshwar Rao Dudhkuri
Age: 39 years, Occu.: Household
R/o. Rajagiri Varry Street, Kothapeta,
Vijaywada, Distr. Krishna,
At present R/o Ramlingeshwar Nagar,
Vijaywada, Andhra Pradesh.

... Applicant

Versus

The State of Maharashtra

... Respondent

.....
Mr. D.B. Pokale, Advocate for Applicant
Mr. V.M. Jaware, APP for Respondent – State
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 30 JANUARY 2025

PRONOUNCED ON : 03 FEBRUARY 2025

ORDER :

1. This regular bail application is filed on account of arrest of applicant in Crime No.29 of 2022 registered at Kotwali Police Station, District Parbhani for offences punishable under Sections 363, 368, 370, 370, 202 read with Section 34 of the Indian Penal Code (IPC).

2. Learned counsel for the applicant pointed out that applicant is a lady. She was arrested in above crime on 07.03.2023 and is behind bars since then. It is further pointed out that, the above occurrence is in the backdrop of crime registered on 06.02.2023. That, initially, crime was registered

against unknown person. That, subsequently, applicant has been involved and arrested. Learned counsel pointed out that, there are allegations of kidnapping of a four year boy. He further pointed out that, in all twelve persons were named and three of them i.e. accused Nos.11, 5 and 6 are already set at liberty. That, the name of the applicant has cropped up only on information given by co-accused. That, the name of the applicant is not reflected in the statement of father. That, the applicant is behind bars for more than ten months and as nothing is to be recovered or discovered at the instance of applicant, learned counsel prays for grant of bail.

3. Learned APP strongly objected to the bail application on the ground that, applicant is a part of a racket, which is in found to be involved in picking up children and selling them across the State. Learned APP pointed out that, when the child was two years old, he was picked up from Parbhani, and therefore, his biological father Mohammad Yusuf Mohammad Haidar lodged report. Thereafter, investigation was conducted, and according to learned APP, it was revealed that, three children were kidnapped and brought in Vijaywada in Telangana State. That, the child was sold to one person, who is stated to be adoptive father. Learned APP pointed to the statement of the driver of the vehicle, which was used in taking the small children to another State. It has revealed during the investigation that, child was sold for Rs.40,000/-. Therefore, according to learned APP, this is a grave offence. That, there is

a racket operating in kidnapping children and selling them. That, there is evidence suggesting present applicant to be played a major role, and as applicant is from the other State, learned APP has strongly objects to granting bail.

4. Heard both the sides. Perused the papers. FIR seems to be at the instance of one Mohammad Yusuf Mohammad Haidar on 06.02.2022 reporting police that, his minor son aged 4 years 3 months was allured and kidnapped by unknown person. On above report, Crime No. 29 of 2022 appears to have been registered at Kotwali Police Station. Now, charge-sheet is filed, and as pointed out by learned APP, it is revealed that there as racket comprising twelve persons in kidnapping minor children and taking them to Andhra Pradesh, Secunderabad and Vijaywada in Telangana, and such children are sold. Charge-sheet shows that informant's son was taken into custody from alleged adoptive father. On such allegations, twelve persons including present applicant is shown to be arrested. Learned counsel for the applicant submitted that, other three accused are beneficiaries of bail at the hands of this Court and Trial Court. However, considering the submissions made by learned APP that, in this case, very material shows that the present applicant is also involved, and children are being sold for money. Apparently, offence is of serious in nature and taking into consideration the submission made by learned APP that, applicant is from another State, there is every

possibility of flight by present applicant, and hence, this Court is not inclined to grant relief. Hence, the following order :

ORDER

Application is rejected.

(ABHAY S. WAGHWASE, J.)

S P Rane