

GAHC010152842024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Bail Appln./2246/2024

BABUL DAS @ BABU
S/O LATE JOGESH DAS, R/O AMINGAON PANIPARA, P.S.-NORTH
GUWAHATI, P.O.-AMINGAON, DIST- KAMRUP (M), ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

Advocate for the Petitioner : MR. I CHOUDHURY, M INGTI, R L CHUTIA

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 19.08.2024

Heard Mr. I.Choudhury, learned counsel for the petitioner as well as Mr. D.P.Goswami, learned Addl. P.P., Assam for the State respondent.

By filing this petition under Section 439 CrPC, the accused-petitioner, namely, **Babul Das @ Babu** has prayed for grant of bail in connection with **CID PS**

Case No.4/2012 under Section 5/6 of the Immoral Trafficking (Prevention) Act.

The learned counsel for the petitioner submits that the petitioner is a driver by profession having his wife and two school going children and he has no previous criminal antecedents. The petitioner has been in judicial custody for last 26 days since his arrest on 25.07.2024 and as such, considering length of detention, the petitioner may be enlarged on bail.

The learned Addl.P.P. has produced the case diary and submits that there are sufficient incriminating materials against the petitioner warranting his custodial interrogation. The petitioner was an absconder since 2012 and as such, learned Addl.P.P. has made objection in granting bail to the petitioner.

Heard learned counsel for the parties and perused the case diary.

From 164 CrPC statement of the victim, it is seen that the present petitioner and his wife engaged the victim girl in flesh trade for monetary gain. The medical report of the victim suggests that she was habituated to sexual intercourse. It is also seen that the petitioner absconded since 2012 for which the investigation in the case is delayed.

Under such backdrop, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail application stands rejected.

It is noticed that the case is pending for investigation since 2012, for last 12 years.

The investigating officer is directed to complete the process of

investigation within shortest possible time, preferably within one/two months.

Copy of order be furnished to learned Addl.P.P. to communicate it to the concerned investigating officer.

Return the case diary.

This disposes of the bail application.

JUDGE

Comparing Assistant