

24.12.2020.
15.
as
(Rejected)

**C.R.M. 2739 of 2020
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baruipur Women P.S. Case No.35 of 2019 dated 19.09.2019 under Sections 365/366/366B/370/372/373/120B/34 of the Indian Penal Code and Sections 4/6/7 of the POCSO Act.

In the matter of : Md. Sujon @ Rahamat Ali & Anr.
... Petitioners.

Mr. Satadru Lahiri,
Mr. Prasenjit Sarkar.
...for the Petitioners.

Mr. Nguive Ahmed, Id. A.P.P.,
Ms. Zareen N. Khan,
Ms. Manasi Roy.
...for the State.

Ms. D. Mukherjee.
....for the victim girl.

Heard the learned Counsels appearing on behalf of the parties.

Learned Advocate appearing for the petitioners submits that they have been shown arrested in the instant case. There is no material to show that the petitioners were trafficking in women across the international border.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioners are habitual offenders and another case has been registered against them for similar offences. They are foreign nationals and lured women across the international border on the false promise of employment. Subsequently, they were forced into prostitution.

Learned Advocate appearing for the victim girl intervened and submitted that one of the victims is a minor.

In rebuttal, learned Advocate appearing for the petitioner submits that the ossification report does not unequivocally show that the victim girl is a minor.

We have considered the materials on record. Petitioners have criminal antecedents. There are statements disclosing role of the petitioners in the conspiracy of trafficking women across the international border.

In view of the gravity of the offence and the criminal antecedents of the petitioners, we are of the opinion that this is not a fit case to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)