

16-10-2020
k.b./b.r.
Item no.33
rejected
Crt.11

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.5812 of 2020

Rita Walla

-vs-

The State of West Bengal

(Via video conference)

IA No. 1 of 2020 (old No.4225 of 2020)

In Re: An application for bail under Section 438 CrPC in connection with Session Case No. Gariahat PS Case No. 325 of 2019 dated 8.12.2019 under Sections 3/4/5/7/18 of the Immoral Traffic (Prevention) Act, 1956 read with Section 120B of the IPC.

Mr. Ayan Bhattacharjee
Mr. Moyukh Moitra
Mr. Apalok Basu

...for the petitioner.

Mr. Swapan Banerjee
Mrs. Purnima Ghosh

... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the Court. The petition is taken up through video-conference on the basis of such undertakings.

The affidavit is furnished by Mr. Banerjee, learned advocate representing the State in compliance with the order dated 28th August, 2020. Let the same be kept on record.

Learned advocate, Mr. Ayan Bhattacharjee submits that the petitioner being a landlady has been falsely implicated in this case without any fault on her part. It is further submitted that the petitioner had no knowledge that the premises let out would be used for sexual exploitation.

Learned advocate further submits that the ingredients of the

offence are not disclosed so as to attract the provisions of I.T. Act.

Learned advocate, Mr. Banerjee representing the State opposes the prayer for anticipatory bail referring some materials already collected in the Case Diary.

Having considered the materials already collected in the Case Diary and upon perusal of the affidavit furnished by the State together with the seriousness of the offence involving sexual exploitation of women in consequence of a sexual racket operative in the premises let out and used as brothel we are not persuaded to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is, thus refused.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Subhasis Dasgupta, J.]

[Subrata Talukdar, J.]