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sg/akb

14-09-2020

Court 8

C.R.M. 6414 of 2020
IA No. CRAN 1 of 2020

(Via Video Conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bansdroni Police Station DD Case No. 107 of 2017 dated 17.10.2017 under sections 120B/366A/373/370 of the Indian Penal Code and Sections 3/4/5/6/7 and 18 of Immoral Trafficking Prevention Act and Sections 4 and 17 of the POCSO Act.

Purna Dutta @ Rahul
Versus
State of West Bengal

Mr. Debasis Kar, Adv.
Mr. Arka Chakraborty, Adv.

...for the petitioner.

Mr. Saibal Bapuli, Adv.
Ms. Sayanti Santra, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application 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 undertaking.

CRAN 1 of 2020 is accordingly, disposed of.

The learned Counsel for the petitioner has fairly submitted that the earlier application for bail was dismissed by a coordinate Bench and the petitioner is renewing his prayer for bail. The trial has commenced. But on consideration of the statement recorded under Section 164 of the Code of Criminal Procedure, it would be seen that there is no involvement of the petitioner.

However, we are in disagreement with the submissions made on behalf of the petitioner.

We have perused the statement of a minor victim girl under Section 164

of the Code.

We do not find any change in circumstances for which we may exercise our discretion in favour of the petitioner.

Furthermore, having considered the materials on record prima facie disclosing involvement of the petitioner in trafficking women for commercial sex, we are of the opinion that in view of the gravity of the offence, it is not a fit case to grant bail to the petitioner.

The application for bail is thus, rejected.

However, since the trial has commenced, we request the learned trial Judge to expedite the trial and conclude the same as early as possible.

(Jay Sengupta, J.)

(Soumen Sen, J.)