

CRM 6838 of 2020
with
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 Digha Mohana Coastal P.S. Case No.10 of 2019 dated 09.04.2019 under Sections 366A/368/370/370A/372/373/120(B)/34 of the Indian Penal Code read with Sections 3/4/5/7/9 of the Immoral Traffic Act and Sections 4/8/17/21 of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Asmaul @ Hasmaul Mollah**

....Petitioner

Sk. Sahjahan Ali

...for the Petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

...for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner points out that though the matter had been attempted to be moved in June, 2020, the Court had then required the matter to be moved after normal functioning of the Court resumed. The petitioner says that the petitioner has been constrained to renew the prayer since several months have gone by.

The matter has been heard on merits.

The petitioner claims that, at the highest, the petitioner has been arrayed as a customer and the petitioner may not have been involved in the abduction of the survivor.

The State says that others standing on the same footing as the petitioner have been denied bail.

In any event, whether it is the person who attempts to procure the body or the customer in the flesh trade industry, the latter cannot be said to enjoy a higher status or not be involved in the transaction.

Considering the material against the petitioner, the prayer for bail is refused.

CRM 6838 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)