

05.11.2020

Item no. 20

Ct.8

SSI/CHC

**Rejected**

**C.R.M. No.8853 of 2020  
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Diamond Harbour Mandir Bazar Police Station Case No. 247 of 2017 dated 03.07.2017 under Sections 366A/370/376/372/34 of the Indian Penal Code.

And

In the matter of:-

Kalimuddin Halder

... Petitioner

Mr. Anirudha Sarkar,  
Mr. Rameshwar Sinha

.. for the petitioner

Sardar Shahin Imam,  
Mr. Subrato Roy

..for the State

Learned advocate for the petitioner submits that the petitioner is in custody for more than 2 years and there has been no progress in the trial.

Learned advocate further submits that in view of the fact that the victim girl was about 21 year of age, the necessary provisions of the Indian Penal Code which have been applied by the Investigating Officer without any jurisdiction.

Additionally, learned advocate submits that in view of the long detention of the petitioner and no progress of the trial, the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and draws attention of this Court to seven cases pending against the present petitioner for committing similar nature of offences. It is further submitted that the petitioner is in the habit of alluring young girls/ladies with employment and then sells them in brothel (s) or uses them for illegal purposes.

We have perused the materials on record submitted by the State and the particulars of the criminal cases pending against the petitioner before different various Court. There appears to be substance in the allegations of the State that the petitioner is involved in inter State trafficking of young girls.

Considering the materials on record and the nature, as well as the gravity of the offence, we are of the opinion that the petitioner is not entitled to be released on bail at this stage.

Accordingly, prayer for bail of the petitioner is rejected.

C.R.M.8853 of 2020 is disposed of.

**(Ashis Kumar Chakraborty, J.)**

**(Tirthankar Ghosh, J.)**

