

09.12.2020

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Sdas

rejected

C.R.M. 10036 of 2020
(via video conferencing)

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 Section 18 of the Immoral Trafficking Prevention Act and Sections 4/17 of the POCSO Act.

And

In Re : Purna Dutta @ Rahul petitioner

Mr. Arka Chakraborty

... for the petitioner

Mr. Saibal Bapuli, learned A.P.P.

Ms. Sayanti Santra

... for the State

Mr. Rameshwar Sinha

.... for the defacto complainant

Petitioner is in custody for more than three years.

It is submitted by the learned Counsel appearing for the petitioner that there is little progress in the trial of the case.

Learned Counsel appearing for the State opposes the prayer for bail and submits that petitioner is the owner of the house where immoral activity involving minor girls was carried on. Delay in trial is due to prevailing pandemic conditions.

We have considered the materials on record. We note that the courts have resumed trial proceedings and next date has been fixed on 14th December, 2020. Keeping in mind grave nature of the offence involving sexual exploitation of the minor girls and prima facie disclosing involvement of the petitioner in such sex trafficking racket and as witnesses have yet to be

examined, we are of the opinion that in view of gravity of the offence this is not a fit case to grant bail to the petitioner.

The application for bail is, thus, rejected.

Keeping in mind the protracted period of detention suffered by the petitioner, we direct the trial court to take steps for conclusion of trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)