

03.02.2021

Sl. No.11

Court No.9

BM

CRM 922 of 2021

**Syed Afsar Raza @ Sayed Afasar Reja @ Babu
Vs.
The State of West Bengal**

Mr. Usof Ali Dewan

Mr. Asif Dewan

... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Rudradipta Nandy

.... for the State

This is an application under Section 439 of the Code of Criminal Procedure.

It is submitted on behalf of the petitioner that the case has been initiated on the basis of complaint lodged by one Mr. Prabir Ghosh on 15.01.2021 alleging offence under Section 3/5/7 of Immoral Traffic (Prevention) Act, 1956.

It is submitted that the allegations in the complaint is to the effect that the petitioner accused is the owner of "Siraj Lodge" who is allegedly carrying out business of prostitution as a result the local people are suffering.

The accused petitioner is in judicial custody for last 19 days.

I have heard learned advocates for the petitioner and the State and considered the case diary. It appears that there is no arrest of any customer from the said lodge save and except seizure of certain articles like Condom and emergency contraceptive pills that may not be indication of involvement of the accused/petitioner in carrying on business of prostitution. It is submitted by learned advocate for the State that the case is an outcome of grudge by the local person who

have their shop rooms and eatery in vicinity of said “Siraj Lodge” of the accused/petitioner. Although allegation appears to be serious in nature but considering the case diary the petitioner/accused be released on bail upon furnishing a bond of Rs.5,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad on condition that he shall meet with the investigating officer once in a week until completion of the investigation.

The application for bail is accordingly allowed.

CRM 922 of 2021 is thus disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after compliance of necessary formalities.

(Shivakant Prasad, J.)