

24.06.2021

(Via Video Conference)

Court No. 28
Item No. PB-24
nandy/seth

CRM 1988 of 2021

(bail rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 19.02.2021 in connection with Belghoria Police Station Case No. 960 of 2017 dated 09.11.2017 under Sections 366A/370/370A/376/109/120B of the Indian Penal Code and Sections 3/4/5/6/7/9 of the Immoral Traffic Prevention Act and also Sections 17/18 read with Section 4 of the Prevention of Children from Sexual Offences Act (Special Case No. 174 of 2017).
and

In the matter of: **Sourav Maity**

..... Petitioner

Mr. Anil Kumar Chattopadhyay, Advocate

.....for the Petitioner

Mr. Ranabir Roychowdhury, Advocate

Mr. Rudradipta Nandy, Advocate

..... for the State

Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with Belghoria Police Station Case No. 960 of 2017 dated 09.11.2017 under Sections 366A/370/370A/376/109/120B of the Indian Penal Code and Sections 3/4/5/6/7/9 of the Immoral Traffic Prevention Act and also Sections 17/18 read with Section 4 of the Prevention of Children from Sexual Offences Act.

It appears from the respective submissions of Counsel that the case has seen a substantial progress as 13 witnesses have already been examined and only 2 or 3 witnesses are left as per the submission of the State.

Mr. Chattopadhyay, learned Advocate for the petitioner, is

not *ad idem* with the aforesaid submission. According to him, only 11 witnesses out of 33 witnesses have been examined and one of the co-accused has already been enlarged on bail.

We find from the record that the petitioner was *prima facie* found to be the Manager and was identified by one of the victim girl during the trial. In view of the serious nature of the offence which does not only have an impact on the children below the age of 18 years but have larger impact on the society as well, we do not find it fit to enlarge the petitioner on bail.

The prayer for bail is **rejected**.

The application being **CRM 1988 of 2021** accordingly **dismissed**.

However, we express our anguish on the progress of the trial after the pandemic has stopped. We thus request the learned Special Judge to take utmost efforts to bring the case to its logical end within seven months from the date of communication of this order.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)