

CRM 2631 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Polba Police Station Case No.143 of 2020 dated 22-09-2020 under Sections 366A/370/372/373/376/120B/109 of the Indian Penal Code and Sections 3/4/5/6 of the Immoral Trafficking Act and Sections 4/6/8/12/17 of POCSO Act.

- A n d -

In the matter of : Raj Kumar Das @ Swapan

.... Petitioner.

Mr. Bikash Ranjan Bhattacharyya,
Mr. Rabi Sankar Chattopadhyay,
Mr. Uday Sankar Chattopadhyay,
Mr. Subhendu Datta,
Ms. Payel Shome

... For the Petitioner.

Mr. Ranabir Ray Chowdhury,
Mr. Rudradipta Nandy

... For the State.

Mr. Rameshwar Sinha

... For the defacto complainant.

The petitioner renews his prayer for bail which was rejected by an order dated January 18, 2021 passed by a coordinate Bench of this Court in CRM 186 of 2021.

The allegation is that from a resort in Hooghly, flesh trade was being carried on. 13 girls were recovered from that resort, five of whom are minor. The case has been instituted under various provisions of the Indian Penal Code, the Immoral Trafficking Act and the POCSO Act. It is alleged that the petitioner was running the show as the main person.

The petitioner says that five other co-accused persons have been granted bail by the learned trial Court. The petitioner is in custody for 350 days. Charge Sheet has been submitted. His further detention is wholly unnecessary.

We have considered the material in the Case Diary including the statements of the victim girls. *Prima facie*, the

story that such statements tell us is quite shocking. The accused persons who have been granted bail were all customers at the said resort and not persons who ran the show.

Considering the nature and gravity of the allegations and the *prima facie* incriminating material against the petitioner, we are not inclined to allow this application, at this stage.

Accordingly, the application for bail being CRM 2631 of 2021 is **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**