

03.08.2021
Item no. 40
Court No.32.
S.De.(s)
(rejected)

(Via Video Conference)

CRM 3450 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 20.04.2021 in connection with Berhampore Police Station Case No. 620 of 2020 Dated 29.06.2020 under Sections 376/370/372/373/120B of the Indian Penal Code, read with Sections 3 / 4 /5 /7 of the Immoral Traffic (Prevention) Act and Section 4/8/12/17 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of : Rita Das.

.....Petitioner.

Ms. Sabana Hasin, Advocate,

.....for the Petitioner.

Mr. Ranabir Ray Chowdhury, Advocate,

Mr. Mainak Gupta, Advocate,

.....for the State.

The petitioner says that she has been in custody for more than four hundred days. The charge against the petitioner is of immoral trafficking and also under the provisions of POCSO Act and various provisions of the Penal Code. Section 75 of the Juvenile Justice Act is also pressed into service. The petitioner's prayer for bail was rejected by order dated 29, 2021 passed by a co-ordinate Bench in CRM 11052 of 2020. The petitioner says that although charge

sheet has been submitted, there is no real likelihood of the trial commencing at an early date.

The State opposes the prayer for bail. The case diary is produced.

We have seen the material in the case diary. The petitioner says that he is only a sweeper in the establishment concerned. The material in the case diary suggest otherwise.

Considering the prima facie active involvement of the petitioner in the commission of the offences she has been charged with and the nature and gravity of the charges, we are not inclined to allow the petitioner's prayer.

CRM 3450 of 2021 is dismissed at this stage.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)