

24.08.2021
Item no. 75
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 4455 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 01.07.2021 in connection with Basanti Police Station Case No. 223 of 2012 dated 03.04.2012 under Sections 342/343/344/346/363/368/370/370A/372/120B/109 of the Indian Penal Code and Sections 3/4/5/6/7/9 of the Immoral Traffic (Prevention) Act, 1956 and Sections 6/17 of the Protection of Children from Sexual Offences Act.

And

In the matter of : Monirul Sekh @ Pappu.

.....Petitioner.

Mr. Pradip Kr. Kundu, Advocate,
Mr. Tapodip Gupta, Advocate,

.....for the Petitioner.

Mr. Rana Mukherjee, Ld. APP,
Ms. Sujata Das, Advocate,
Mrs. Debjani Sahu, Advocate,

.....for the State.

The petitioner is one of several accused persons. The allegations are under various provisions of the Indian Penal Code, Immoral Traffic (Prevention) Act, 1956 as also Sections 6/7 of the POCSO Act.

The allegation is that the petitioner and his associates who are accused persons kidnapped the victim girl and sold her to a brothel in Pune.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. Clearly, she narrates the entire incident and also the torture that she suffered while being forced to work as a sex worker.

The petitioner says that he had been granted anticipatory bail and he never breached any condition of such bail.

Be that as it may, in view of the very serious nature of allegation against the petitioner, which is, prima facie, borne out from the material on record, although charge sheet has been filed, we are not inclined to allow the petitioner's prayer at this stage.

Accordingly, CRM 4455 of 2021 is dismissed.

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.)