

10.12.2021
tkm/ct 28
sl no. 40

C.R.M. 6315 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chinsurah P.S Case No.287 of 2021 dated 9.7.2021 under Sections 363/365/366 of the IPC red with sections 4/6 of the POCSO Act and section 4/5/6 of the Immoral Trafficking (Prevention) Act

And

Allowed

In Re : Ujjal Mitra petitioner

Mr. Prabir Majumder
..... for the petitioner

Mr. T K Ghosh
Mr. Arindam Sen
..... for the State

Petitioner is in custody for 133 days and it is submitted on his behalf that the allegation of subjecting the victim to prostitution was an afterthought. There is inordinate delay in lodging FIR.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl. She stated that she was subjected to forcible prostitution for more than four years. However, she had not lodged any complaint earlier. There were monetary disputes between the petitioner and the said victim which prompted her to lodge FIR.

In view aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned

CJM, Hooghly at Chinsurah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 6315 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)