

CRM No.9134 of 2020
(Via video conference)

03.06.21

(S.R.)

Sl.21

Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Dum Dum** Police Station Case **No.123** dated **21.02.2018** under Sections **366/370/370A/109/120B** of the Indian Penal Code, Sections **3/4/5/6/7/9** of the Immoral Traffic Prevention Act and Sections **4/17/21** of the Prevention of Child from Sexual Offence Act;

And

In re: Smt. Bulu Neogi

... petitioner.

Mr. Prantick Ghosh

... for the petitioner.

Mr. N. Ahmed

Md. Anwar Hossain

Ms. Sreyashee Biswas

...for the State.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Similarly situated co-accused persons have already been enlarged on bail. Upon completion of investigation charge sheet has also been filed. However, there has been no substantial progress in the trial and there is no possibility towards conclusion of the same in the near future. The petitioner is languishing in custody since 21st February, 2018. In view thereof, the petitioner may be enlarged on bail on any stringent condition. In support of his contention Mr. Ghosh has drawn the attention of this Court to the averments made in paragraph 3 of the application.

Mr. Ahmed, learned advocate appearing for the State opposes the petitioner's prayer and submits that the petitioner has direct involvement in the offence. She used to procure the girls. The trial has substantially progressed. Only five official witnesses are left. In the said conspectus, the petitioner is not entitled to the relief, as prayed for.

We have heard the learned advocates appearing for the respective parties and considering the materials in the case diary.

The co-accused persons who have been granted bail, in our opinion, are not similarly situated with the petitioner. The statements of the witnesses as recorded under Sections 161 and 164 of the Code and the deposition of one Dipa Chaudhury before the learned trial court clearly reveal the direct involvement of the petitioner in the alleged offence.

Considering the gravity of the offence, the nature of allegations and the present stage of trial, we are not inclined to exercise any discretion in favour of the petitioner. As such, the petitioner's prayer for bail is refused at this stage.

The application for bail being CRM No.9134 of 2020 is dismissed.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)