

04.03.2021

Court No.28

rpan/ 28

C.R.M. 10750 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of
the Code of Criminal Procedure ;

And

In re: **Ashis Halder & Others**

.....Petitioners.

Ms. Minoti Gomes,

Mr. Mazhar Hussain Chowdhury,

Ms. Arina Bhattacharjee,

Mr. Suman Karmakar

....For the Petitioners

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Ms. Zareen N. Khan,

Mr. Mirza Firoj Ahmed Begg

....For the State

Apprehending arrest in connection with English Bazar
Women Police Station Case No. 98 of 2020 dated 22.09.2020
under Sections 6/17 of the Protection of Children from Sexual
Offences Act, 2012, the petitioners have filed the present
application.

Ms. Gomes, learned advocate appearing for the petitioners
submits that the petitioners have been falsely implicated. The
allegations levelled against the petitioners are absolutely
unfounded. No overt act has been attributed to the petitioners
herein. In view thereof, custodial interrogation of the petitioners
is not necessary.

Mr. Mukherjee, learned Public Prosecutor appearing for the
State opposes the petitioners' prayer and submits that the
offence discloses an organized racket for exploitation of minor
girls and the petitioners are involved in the same. In support of

such contention, he has drawn our attention to the complaint and the statement of one Riya Mondal, recorded under Section 164 of the Code.

We have perused the materials on record. The allegations levelled against the petitioners are not in the abstract. *Prima facie*, there are materials on record, which clearly reveal the direct involvement of the petitioners in the alleged offence. In view thereof, we are not inclined to exercise any discretion in favour of the petitioners herein, namely, 1. **Ashis Haldar**, 2. **Subham Das @ Bittu Das** and 3. **Dipanjan Sarkar** and as such, their prayer for anticipatory bail is refused.

The application for anticipatory bail, being CRM No. 10750 of 2020, is, thus, rejected.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)