

14.03.2022

Court No.32
rpan / 16
SM,J.

C.R.M. (DB) 268 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re.: **Bakul Mondal**

- Petitioner

Mr. Sandipan Ganguly, Ld. Sr. Adv.,
Ms. Sananda Bhattacharyya
... for the Petitioner.

Mr. Rudradipta Nandy
... for the State.

The present application has been filed by the petitioner in connection with Dhantala Police Station Case no.412 of 2021 dated 31.08.2021 under Sections 363/365/366B/370/34 of the Indian Penal Code, 1860 and Section 5 of the Immoral Traffic (Prevention) Act, 1956, praying for bail.

Mr. Ganguly, Learned Senior Lawyer for the petitioner submitted that the present petitioner is falsely implicated in this case and the name of the present petitioner hardly appear from the statement of the witnesses. The very fabric of the allegation made by the victim, who is a Bangladeshi citizen, is rather baseless. Her statement is unable to connect the present petitioner to the alleged offence. Since Chargesheet has been filed, further custodial detention is not necessary. Accordingly, he prays for bail.

Per contra, Mr. Nandy, Learned Lawyer for the State submitted that strong incriminating elements are there against the present petitioner. Inviting our attention to call detail records and

statement of other witnesses, Mr. Nandy stated that the present petitioner is involved in a racket of trafficking of girls. The statement of the victim clearly implicated the present petitioner in the alleged racket. Considering the seriousness of the offence, he strongly opposed the bail application.

We have heard the rival submissions and perused the C.D.

The name of the present petitioner appears from the statement of the victim girl, recorded under Sections 161 and 164, Cr.P.C. There are other incriminating materials against the present petitioner, as appear from the statement of witnesses showing direct complicity of the present petitioner in the alleged offence. It appears from the statement of witnesses that the allegation is very serious in nature in which, *prima facie*, the petitioner has complicity. Therefore, even if Chargesheet has been filed, considering the seriousness and gravity of the offence, we are not inclined to allow the bail application.

Accordingly, the application for bail, being CRM (DB) 268 of 2022, is dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)