

06.06.2022
tkm/ct 28
sl no. 35

C.R.M. (DB) 1364 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Naihati PS case no. 328/2020 dated 6.8.2020 under sections 363 of the IPC and subsequently charge sheet has been filed under Section 363/366A/368/370/372/373/376/120B I.P.C. and sections 3/4/5/6/7/8 of the Immoral Trafficking (Prevention) Act and 4/6/8/12/17 of the POCSO Act

And

In Re : Jhuma Biswas

..... petitioner

Mr. Bitasok Banerjee

..... for the petitioner

Mr. M Sur

Mr. D Paramanick

..... for the State

Petitioner is in custody for 227 days and submits that co-accuseds have been granted bail.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was involved in procuring women for prostitution.

We have considered materials on record. Statement of the victim shows petitioner was involved in procuring women for prostitution. She does not stand on the same footing with Biswajit Mahato @ Dele who is a toto driver and barely involved in the racket.

We do not approve of grant of bail to the owner and manager of the hotel where prostitution was being carried on when they were barely in custody for two months. It is open to the State to take steps in that regard, if so advised.

Keeping in mind the gravity of the offence involving sexual exploitation of women and the prima facie involvement of the petitioner therein, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)