

02.08.2022.
19.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2558 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Howrah Women P.S. Case No.17 of 2021 dated 16.06.2021 under Sections 341/323/376/506/34 of the Indian Penal Code read with Sections 4/8/12 of the POCSO Act.

In the matter of : Anita Devi.

... Petitioner.

Mr. Mrityunjoy Chatterjee,
Md. G. N. Imrohi.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is the mother of the victim girl. She is in custody for more than 400 days. It is contended she has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner had permitted co-accuseds to sexually exploit the minor girl.

We have considered the materials on record including the statement of the minor victim. She has described the role of the petitioner in assisting co-accuseds to sexually exploit her. Date has been fixed for recording prosecution evidence. As the case is delicately poised for examination of the vulnerable witness, we do not consider it safe to release the petitioner on bail lest the same may have adverse impact on the vulnerable minor witness.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)