

03.08.2022

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rejected

C.R.M.(DB) No. 2601 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Naihati Police Station Case No. 328 of 2020 dated 06.08.2020 under Sections 363/366A/368/370/372/373/376/120B of the Indian Penal Code read with Sections 3/4/5/6/7/8 of the Immoral Trafficking Prevention Act read with Sections 4/6/8/12/17 of the POCSO Act.

And

In Re : Rakhi Ganguly petitioner

Mr. Sushigdho Bhattacharyya
... for the petitioner

Mr. Rudradipta Nandy, learned APP
Mr. Iqbal Kabir
Ms. Sreeparna Das
... for the State

Learned Counsel appearing for the petitioner submits she is in custody for 198 days. It is also submitted that co-accused Biswajit Mahato @ Dele was granted bail by this Court.

Learned Counsel appearing for the State opposes the prayer for bail. It is submitted that petitioner is the member of a racket who procured minor girls for trafficking.

We have considered the materials on record. Statements of witnesses implicate the petitioner in the crime. Co-accused Biswajit Mahato @ Dele is a toto driver and was barely involved in the crime. Hence, he does not stand on the same footing with the petitioner.

Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)