

15.09.2022
Sl. No.19
akd
[Rejected]

C. R. M. (DB) 2992 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.08.2022 in connection with Uluberia Police Station Case No. 328 of 2018 dated 09.05.2018 under Sections 363/365/370A/370(4)/372/376(2) of the Indian Penal Code.

And

In Re: ***Wasim***

... .. Petitioner

Mr. Deepak Prahladka
Ms. Reshmi Khatun

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Ms. Faria Hossain
Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted co-accuseds have been enlarged on bail. It is also submitted there is slow progress in the trial of the case.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner is a member of a gang who trafficked the victim outside the State. Victim was recovered from Ghaziabad in the State of Uttar Pradesh. Petitioner is also a resident of Uttar Pradesh.

We have considered the materials on record. Statements of the victim and other materials show she had been trafficked by the petitioner and co-accuseds and sexually assaulted. Co-accuseds have been granted statutory bail. In view of the gravity of the offence and as the vulnerable witness has not yet been examined, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and examine the vulnerable witnesses at the earliest.

Let a copy of the order be sent to the trial court for due compliance.

Needless to mention the accused persons shall cooperate with the trial court.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)