

06.01.2022
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rejected

C.R.M. 8878 of 2021
(Via Video Conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bankura Police Station Case No. 147 of 2021 dated 18.07.2021 under Sections 370(5)(7)/372/373/120B of the Indian Penal Code read with Sections 75/80/81 of the Juvenile Justice Act.

And

In Re : Sushama Sharma petitioner

Mr. Jayanta Narayan Chatterjee
Mr. Kamal Das
Ms. Jayashree Patra
Ms. Pritha Sinha

... for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Arani Bhattacharyya
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for over 172 days. It is further submitted that she did not play any role in the administration of educational institution particularly the procurement of children.

Learned Additional Public Prosecutor opposes the prayer for bail and submits that the petitioner is attached to the institution where minor children were brought and sold.

We have considered materials on record. Statements of witnesses show that the petitioner was involved in the procurement of minor children in the institution. No material is placed before us to show the institution was authorized to receive and take care of minor children.

In view of the aforesaid facts and the gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

