

21.11.2022.
27.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4015 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baduria P.S. Case No.815 of 2016 dated 22.11.2016 under Sections 369/370(5)/315/120B/34 of the Indian Penal Code.

In the matter of : Paromita Chatterjee.

... Petitioner.

Mr. Mangoljit Mukherjee,
Mr. Dattatreya Dutta.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Ld. P.P.,
Mr. Rudradipta Nandy, ld. A.P.P.,
Ms. Sonali Das.

...for the State.

Petitioner prays for bail. It is submitted she is in custody for more than six years. Co-accuseds have been enlarged on bail by the Hon'ble Apex Court as well as by this Court.

Learned Public Prosecutor opposes the prayer for bail and submits trial is at its fag end. Petitioner is the owner of the nursing home and is the principal accused. Medical personnel attached to the nursing home were enlarged on bail. Next date has been fixed for recording prosecution evidence on 9th December, 2022.

We have considered the materials on record. Petitioner is the owner of the nursing home wherefrom minor children were trafficked. Statements of witnesses show she was managing the affairs of the nursing home and received cash in lieu of sale of minor children. Medical personnel attached in the nursing home have been enlarged on bail. They did not stand on the

same footing with the petitioner. However, it is contended bail has not been prayed on merits but on the ground of inordinate delay in trial.

In this regard we note that the trial is at its fag end and only two witnesses are yet to be examined. Allegations are very grave and petitioner has played a pivotal role in sale of infants for money.

Under such circumstances, we are not inclined to grant bail to the petitioner.

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

However, we direct the trial court to conclude the trial positively within three months from the next date fixed for recording evidence, failing which petitioner would be at liberty to renew his prayer for bail.

Parties shall co-operate with the trial court in completing the trial as per schedule.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)