

04.01.2022
Item no.11.
Court No.1.
S. De
(Rejected)

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Via Video Conference)**

CRM No. 1292 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No. 367 of 2021 Dated 16.07.2021 under Sections 363/365 of the Indian Penal Code.

And

In the matter of: Ajidul Mia @ Ajidul Hossain.

.....Petitioner.

Mr. Sudip Guhafor the Petitioner.

Mr. A.S. Chakraborty, Ld. APP,
Mr. Sagnik Sankar Sikdar,for the State.

The allegation is that the petitioner and other accused persons kidnapped the survivor girl, about thirteen years old, took her to Delhi and kept her confined for three months. She was sexually exploited during that period. Attempt was made to make her a part of the flesh trade. She could somehow contact her parents and was rescued. We have seen her statement recorded under Section 164 of the Code of Criminal Procedure.

The petitioner says that he is not the main accused and he is not named by the survivor girl in her statement. However, the petitioner is named in the written complaint/FIR. It is quite possible that the survivor girl did not know the name of one of the accused persons, i.e. the petitioner.

If the allegations are correct, it would definitely constitute a heinous crime. Chargesheet is yet to be submitted. There is full scope for further investigation.

We are of the view that this is a case where custodial interrogation of the petitioner may well be necessary. Hence, we are not inclined to allow this application for anticipatory bail.

The application for anticipatory bail is rejected.

C.R.M. No.1292 of 2021 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)