

13.02.2023
Sl. No.32
akd
[Rejected]

C. R. M. (DB) 322 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2023 in connection with Berhampore Police Station Case No.620 of 2020 dated 29.06.2020 under Sections 376/370/372/373/120B of the Indian Penal Code, Sections 3/4/5/7 of the Immoral Traffic (Prevention) Act and Sections 4/8/12/17 of the POCSO Act.

And

In Re: **Rita Das**

... .. Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Sourav Mukherjee
Ms. Madhurai Sinha

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

Pursuant to our earlier direction, Investigating Officer is personally present before this court. His presence is noted and dispensed with.

It is submitted on behalf of the petitioner that she is in custody for more than two years. It is further submitted there is delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits petitioner and co-accused are involved in trafficking of minor girls for sexual exploitation. Delay was due to vacancy in the special court.

We have considered the materials on record. There are ample materials to show petitioner and co-accuseds were involved in trafficking of minor girls for sexual exploitation. The offence not only has serious social ramifications but also is an organised crime activity. Keeping in mind the aforesaid facts and the prima facie implication of the petitioner in the crime, we are not inclined to grant bail to her at this stage.

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

In the event, the incumbent has not joined, the Judge-in-charge of the Special Court shall proceed with the consideration of framing of charge and recording of evidence in the meantime.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)