

12.04.2023
Sl. No.35
akd
[Rejected]

C. R. M. (DB) 1401 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.03.2023 in connection with Berhampore Police Station Case No.1624 of 2022 dated 04.12.2022 under Sections 376/370/372/373/120B of the Indian Penal Code and Sections 3/4/5/6 of the Prevention of Immoral Traffic Act and Sections 4/8/12/17 of the POCSO Act.

And

In Re: ***Banti @ Shreyoshi Chatterjee***

... .. Petitioner

Mr. Abhijit Kumar Adhya

... .. for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for about 130 days. It is further submitted petitioner is a widow. She has let out the property to one Biswajit Mondal and was unaware of the immoral activities carried out in the said property. Hence, she prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits petitioner is the owner of the property. Co-accused viz. Biswajit Mondal is the Manager. Petitioner carried on the immoral activities through the said Manager. She was arrested from the place of occurrence.

We have considered the materials on record. Petitioner is the owner of the property. Plea that she had let out the property and was in no way connected with the immoral activities therein appears to be tenuous as she had been arrested from the premises itself. Under such circumstances and in view of the nature of offence involving trafficking of minors for sexual exploitation and as co-accused viz. Biswajit Mondal

is absconding, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)