

01.05.2023

15
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1821 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Debra** Police Station Case No. **181** of **2023** dated **25.03.2023** under Sections **3, 4, 5, 6 & 7** of the Immoral Traffic (Prevention) Act, 1956.

And

In the matter of : Suresh Kumar Naidu @ Suresh Naidu & anr.
..... petitioners

Mr. Siddhartha Sarkar
....for the petitioners

Mr. Antarikhya Basu
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that petitioners were falsely implicated.

Learned advocate appearing for the State submits that there is a previous police complaint dated February 18, 2023 *inter alia* under the Prevention of Immoral Traffic Act, 1956 as against the petitioners. The present police case also involves the provisions of the Act, 1956. He refers to the statements recorded under Section 161 of the Criminal Procedure Code of the various persons. He draws attention of the Court to the seizure list. He also draws the attention of the Court to the

statement of one of the ladies recorded under Section 164 of the Criminal Procedure Code.

The statements recorded under Section 161 of the Criminal Procedure Code and the seizure list taken together suggest that a *prima facie* case being made out as against both the petitioners under the Act of 1956, which requires investigation.

There is a previous police complaint as against the petitioners under the Act of 1956. Both the cases are within a span of a month.

Petitioner no.1 claims himself to be the owner of the Hotel, where the raid was conducted, while petitioner no.2 claims to be the Manager of such hotel.

Considering the materials in the case diary, gravity of the offence and involvement of the petitioners as transpiring therefrom, we are unable to grant anticipatory bail to the petitioners.

CRM (A) 1821 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

