

17.05.2023

63
sdas
rejected

C.R.M. (DB) No. 1992 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat Police Station Case No. 46 of 2023 dated 30.01.2023 under Sections 363/365 of the Indian Penal Code and charge-sheet submitted under Sections 363/365/366A/370/370A/372/373/376(2)(n)/120B of the Indian Penal Code and under Section 6(1) of the POCSO Act.

And

In Re : Debashis Das & Anr. petitioners

Mr. Soumik Ganguli
Mr. Supriyo Shasmal
.... for the petitioners

Mr. Ranabir Roychowdhury
Mr. Mainak Gupta
.... for the State

Learned Counsel for the petitioners submits victim had lodged an earlier case against one Sabir Halder. Said Sabir Halder was released on bail as the victim claimed there was a love affair. Subsequently present case has been lodged and petitioners have been falsely implicated. They pray for bail.

Learned Counsel for the State opposes the prayer for bail and submits prayer for bail of co-accused, Sk. Jahiruddin was turned down by this Court.

We have considered the materials on record. Statement of the minor disclosed she had been trafficked for sexual exploitation. She has identified the petitioners in the course of test identification parade as transporters. In view of the

aforesaid incriminating materials and nature of offence involving trafficking of a minor for sexual exploitation, we are not inclined to grant bail to the petitioners.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)