

04.07.2023
Sl. No.97
akd
[Rejected]

C. R. M. (DB) 2544 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.06.2023 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 subsequently charge sheet submitted under Sections 363/365/366A/370/370A/372/373/376(2)(n)/120B of the Indian Penal Code and Section 6(1) of the POCSO Act.

And

In Re: ***Jaidul Sk.***

... .. Petitioner

Mr. Ayan Basu
Mr. Sandip Kumar Mondal
Mr. Sumit Routh
Ms. Riya Das

... .. for the petitioner

Mr. Tauhid Khan

... .. for the de-facto complainant

Mr. Shiladitya Banerjee

... .. for the State

It is submitted on behalf of the petitioner that he is in no way connected in trafficking of the victim girl. It is further submitted he was not put up for identification in the Test Identification Parade. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits petitioner is the husband of the co-accused who took the victim to a brothel where she was raped.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statement of the victim refers to the presence of the petitioner along with the co-accused at the time when she had been trafficked. In view of the nature of offence which is an organised criminal activity and the involvement of

the petitioner therein, 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.)