

29.08.2023

SL. 26
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 3398 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Ratua** Police Station Case No. **269 of 2023** dated **21.05.2023** under Sections **365/120B** of the IPC adding Section **376D/370** of the IPC.

And

In the matter of: **Mala Sarkar & Anr.**

....petitioners.

Mr. Sourav Mukherjee
Ms. Sabnam Laskar

...for the petitioners.

Ms. Z. N. Khan
Mr. Asif Dewan

...for the State.

1. Heard learned Counsel for both the parties.
2. From the statement of the victim recorded under Section 164 Cr.P.C. it is found that the present petitioner No. 1 had sold the victim girl to the petitioner No. 2 who subsequently left her with other co-accused persons (not before us).
3. Taking into consideration the seriousness of the charge and the gravity of the offence, we are not inclined to exercise our discretion in favour of the petitioners under Section 438 Cr.P.C.
4. Accordingly, the prayer for the anticipatory bail is rejected.
5. The application being CRM (A) 3398 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

