

22.11.2023
Sl. No.28
akd
[Rejected]

C. R. M. (DB) 4393 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.10.2023 in connection with Eco Park Police Station Case No.87 of 2023 dated 28.04.2023 under Sections 366A/372/34 of the Indian Penal Code read with Sections 3/4/5//6(2A)/7 of the Immoral Traffic (Prevention) Act, 1956 and Sections 4/6/17 of the POCSO Act.

And

In Re: ***Nani Sardar @ Debashis Sardar***

... .. Petitioner

Mr. Sumanta Chakraborty

... .. for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about six months. It is further submitted petitioner was not involved in trafficking and has been falsely implicated. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits victims came out with the role of the petitioner during counselling.
3. We have considered the materials on record. Offence involves trafficking of women for sexual exploitation. In view of the nature of offence victims were traumatized and initially could not disclose the role of the petitioner. His role was disclosed before the counsellor. Charge has been framed. Date has been fixed for examination of the victims/vulnerable witnesses. In view of the aforesaid, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

5. Trial court is directed to examine the vulnerable witnesses at the earliest.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)