

AD-31
Ct No.01
Jalpaiguri
07.02.2023
TN

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 53 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.01.2023 in connection with Siliguri Women Police Station Case No. 204 of 2019 dated 16.10.2019 under Sections 357/363/365/366A/370/370A IPC, read with Sections 6/17 of the POCSO Act, 2012, read with Sections 3/4/5/6/7 of Immoral Traffic Prevention Act, 1956.

And

In the matter of: Archana Ghosh @ Mona Biswas

.... petitioner

Mr. Hillol Saha Podder

....for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Kallol Nag

... for the State

Learned counsel for the petitioner submits that the petitioner, being a lady, is already in custody for 3 years 4 months. The victim girl has already been examined and there is no scope of tampering with the evidence.

Learned counsel appearing for the State opposes the prayer for bail and submits that the allegations against the petitioner are serious and that she operates a trans-border prostitution racket. The victim girl, in fact, was allegedly kidnapped from Meghalaya and sold to the present petitioner for the purpose of prostitution.

It is also contended that although the charge-sheet has been filed, release of the petitioner on bail at this juncture might be detrimental to the trial as well as to the society.

Keeping in view the gravity of the offence, despite the fact that the petitioner is a lady and is in custody for 3 years and 4 months, we are not inclined to grant bail to the petitioner.

Accordingly, CRM (DB) 53 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)