

13. 06.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (DB) 358 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Mal Police Station Case No. 294 of 2022** dated **13.04.2022** under **363/365/34** of the Indian Penal Code, 1860 and added Section **371** of the Indian Penal Code, 1860.

And

In the matter of: - **Jahirul Haque @ Islam**

...petitioner.

Mr. Sudip Guha, Adv.

...for the petitioner.

Mr. Abhijit Sarkar, Adv.,

Mr. Chattu Roy, Adv.

...for the State.

Heard learned Advocate for the petitioner and learned Advocate for the State at length.

It is contended on behalf of the present accused/petitioner that considering the fact that other charge-sheeted co-accused persons have already been enlarged on bail/anticipatory bail and also considering the fact that the investigation is complete the instant application for bail may be considered favourably.

While opposing the prayer for bail, learned Advocate for the State draws our attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 1973, wherefrom it appears that the present accused/petitioner

is the principal accused who has alleged to have induced the victim to elope with him with the promise to marry her and thereafter sold her for prostitution.

In our considered view, the allegation against the present accused/petitioner is very serious in nature and that has got an adverse social impact also.

Considering the entire scenario, we are not inclined to exercise our discretion in favour of the present accused/petitioner and accordingly the prayer for bail is refused.

The application for bail being CRM (DB) 358 of 2023 is accordingly dismissed.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)