

13.12.2023

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rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(A) No. 961 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 74 of 2021 dated 05.04.2021 under Sections 363/365 of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In Re : Mafijul Mia petitioner

Mr. Subhasish Misra

Mr. Swarup Das

Mr. Satyajit Paul

....for the petitioner

Mr. Aditi Shankar Chakraborty, learned APP

Mr. Anirudhya Biswas

..... for the State

1. Learned Counsel for the petitioner prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner had kidnapped the minor and taken her to Delhi where she was sexually exploited. This is a case involving inter-state sex trafficking of minors. In this background, delay in lodging FIR is natural. Keeping in mind the gravity of the offence and prima facie involvement of the petitioner in trafficking minors we are of the opinion custodial interrogation

of the petitioner is necessary and this is not a fit case to grant anticipatory bail to the petitioner.

4. Application for anticipatory bail is, thus, rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)