

12.04.2024
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rejected

C.R.M.(DB) No. 611 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 1624 of 2022 dated 04.12.2022 under Sections 370/376/372/373/120B of the Indian Penal Code and Sections 3/4/5/7 of the Immoral Traffic Prevention Act and under Sections 4/8/12/17 of the POCSO Act.

And

In Re : Shreyoshi Chatterjee @ Banti Chatterjee petitioner

Mr. Milon Mukherjee, Sr. Adv.
Mr. Antarikhya Basu
Ms. Madhumita Basak
Mr. Sayan Mukherjee
....for the petitioner

Mr. Rana Mukherjee
Mr. Shiladiya Banerjee
... for the State

1. Learned Counsel for the petitioner submits she is a widow and had let out the property to one Biswajit Mondal under leave and licence. She was unaware of immoral activities carried on therein. Accordingly, she prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits further investigation is in progress.

3. We have considered the materials on record. Petitioner is the owner of the premises. She used to reside in the same town. Materials on record show anti-social activities were being carried on in the premises even prior to the property being let out to Biswajit Mondal. These materials give an impression that petitioner had requisite knowledge with regard

to the immoral activities which were being carried on in the premises. Vulnerable witness is yet to be examined. Hence, we are not inclined to grant bail to the petitioner at this stage.

3. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)