

21.03.2024.
38.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 904 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Labpur P.S. Case No.132 of 2023 dated 22.09.2023 under Sections 363/368/370 of the Indian Penal Code.

In the matter of : **Sk. Abdul Lahil Kafi @ Sk. Kafi @ Sk. Abdullah Kafi.**

... Petitioner.

Md. Sabir Ahmed,
Mr. Tasnim Ahamed,
Mr. Dhiman Banerjee,
Ms. Suman Biswas.

...for the Petitioner.

Mr. Partha Pratim Das,
Mr. Santanu Talukdar.

...for the State

Mr. Ranjit Kr. Ghosh.

...for the de-facto complainant.

1. Petitioner submits he had referred the pregnant lady to the nursing home to deliver her unborn child. He is not involved in the conspiracy to sell the child. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record including the statements of the lady and staff of the nursing home. These statements show petitioner had taken the pregnant lady for delivery to the nursing home. Petitioner had requisite knowledge that the baby would be sold.

4. Under such circumstances and in view of nature of the offence involving sale of a new born child, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)