

CRM (DB) 1621 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Eco Park Police Station** Case No. **87 of 2023** dated **28.04.2023** under Sections **366A/372/34** of the Indian Penal Code and Sections 3/5/7/6(2A)/9 of the Immoral Traffic (Prevention) Act and Sections 4/6/17 of the POCSO Act.

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In the matter of : Md. Mohinuddin @ Md. Mohiuddin

.... Petitioner.

Mr. Sourav Chatterjee,
Ms. Sonali Das,

... For the Petitioner.

Mrs. Faria Hossain,
Mrs. S. Naaz,

... For the State.

The petitioner says that he is in custody for one year two months. It will take a lot more time to conclude the trial. He is not connected with the alleged offence in any manner. The entire allegation is against the receptionist of the hotel of which the petitioner is the owner. He should be enlarged on bail immediately.

Learned Advocate for the State draws our attention to the material in the case diary. The charge is not only under the POCSO Act but also under the Immoral Traffic (Prevention) Act.

Learned Advocate for the petitioner draws our attention to the medical reports. It is true that we do not find any injury in such reports. However, such reports do not help the petitioner at this stage in so far as the charge of immoral trafficking is concerned.

We are told that four victim girls have already been examined. There are 20 other witnesses to be examined.

Given the *prima facie* involvement of the petitioner in the alleged crime, we are not inclined to allow this application for bail at this stage.

CRM (DB) 1621 of 2024 is, thus, dismissed.

However, since the petitioner is in custody for quite some time, we direct the learned trial court to expedite the trial to the fullest extent and conclude the same as early as possible but positively within a year from the next date fixed for recording of evidence.

In the event, the learned Trial Court does not conclude the trial within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail. Parties are directed to communicate this order to the learned Trial Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)