

15.
Court
No.28

04.07.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1835 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

In the matter of: - **Sujit Haldar @ Sujit Halder**

Mr. Ramdulal Manna, Adv.,
Ms. Manju Manna, Adv.,
Mr. Sayan Mukherjee, Adv.

...for the petitioner.

Mr. Joydeep Biswas, Adv.,
Mr. Asraf Mandal, Adv.

...for the State.

Mr. Sourat Nandy, Adv.

...for the *de facto* complainant.

The *de facto* complainant has received notice of this bail application. Learned Advocate appears for the *de facto* complainant. A copy of the notice as filed by learned Advocate for the State be kept with the records.

The petitioner says that he has been falsely implicated. He has no connection with the alleged offence. He is in custody for 166 days. Charge has not yet been framed. It is anybody's guess when the trial will conclude. There are 18 witnesses named in the charge-sheet.

Learned Advocate for the State strongly opposes the prayer for bail. He draws our attention to the statements of the victims who are minors. They clearly described how they were

nabbed when they were going for a sight seeing from their school. Obscene videos of the victims were taken by the petitioner and other accused persons. A co-accused, standing on the same footing as the petitioner, has been denied bail by a co-ordinate Bench on May 7, 2024.

We have seen the material on record including the statements of witnesses and the victims recorded under Section 164 of the Code of Criminal Procedure, 1973. The allegations are serious. Children have been used for pornographic purposes.

In view of the gravity of charges and the *prima facie* incriminating evidence against the petitioner, we are not inclined to enlarge the petitioner on bail, at this stage.

Therefore, the prayer for bail is rejected.

The application being CRM (DB) 1835 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)