

02.01.2024
tkm/ct 28
sl no.63

C.R.M. (DB) 2610 of 2022

In Re : An application under section 439(2) read with section 482 of the
Code of Criminal Procedure

And

In Re : Agnivesh Dutta

..... petitioner

Mr. S Basu Roy Chowdhury

Mr. Tapas Paul

..... for the petitioner

Mr. R Pattanayak

..... for the OP no. 2

Mr. N Ahmed

Ms. Manisha Sharma

..... for the State

1. Order dated 25.4.2022 granting bail to opposite party nos. 2 and 3 in an offence of sex trafficking has been assailed.
2. Learned lawyer for the petitioner submits that court below had not considered the gravity of offence. He prays for cancellation of bail.
3. In terms of our earlier direction, State submits report with regard to status of the proceeding.
4. We have heard learned lawyer for the parties. We have also perused the report submitted by the State. Report states that the deposition of the victim is complete. Pre-trial detention is for the purpose of investigation and ensuring protection of vulnerable witness. Victim i.e vulnerable witness has already been examined. Though we are of the opinion that the order granting bail is not happily worded in light of the progress in the mater i.e. examination of the victim girl having already

concluded, we find no reason to cancel the bail of opposite party nos. 2 and 3.

5. We request the trial court to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence.
6. All parties including opposite party nos. 2 and 3 shall co-operate with the trial court in the matter.
7. In the event opposite party nos. 2 and 3 fail to do so, it shall be open to the petitioner to renew his prayer for cancellation of bail.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)