

03.09.2024
Item no. 62.
Court No.28.
AB
(Rejected)

CRM (DB) 2689 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dakshineswar Police Station Case No.206 of 2023 Dated 31.10.2023 under Sections 366A/370/370A/120B of the Indian Penal Code read with Sections 3/4/5/6/7 of the IT Act and Section 4/6/17 of the POCSO Act

And

In the matter of : Gopal Ghosh Petitioner.

Mr. Debasish Karfor the Petitioner.

Ms. Rituparna Ghosh
Mr. Mainak Guptafor the State.

Dictated by Arijit Banerjee, J.

1. The allegations are under various provisions of law including the POCSO Act. A minor girl, aged about 15 years, was recovered from a hotel which was really a brothel under cover. The petitioner was arrested from the reception of the hotel. The allegation is that he was running the show.
2. The petitioner denies the allegations. He says that he is not the Manger of the hotel. He is in custody for about one year. There is no incriminating material against him. He prays for bail.
3. We have seen the material in the case diary. Prima facie, there is sufficient incriminating material against this petitioner. The Arrest Memo would show that the

petitioner was arrested from the “hotel” in question.

Hence, we are not inclined to entertain the petitioner’s prayer for bail, at this stage.

4. The prayer for bail is, accordingly, rejected.
5. CRM (DB) 2689 of 2024 is dismissed.
6. However, considering that the petitioner is in custody for about a year, we request the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date.
7. The parties shall communicate this order to the learned Trial Court.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)