

22.10.2024
Sl. No.55
akd/AP
[Rejected]

C. R. M. (DB) 3600 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 14.10.2024 in connection with Sealdah GRPS Case No.75 of 2024 dated 09.05.2024 under Sections 370/107/120B/34 of the Indian Penal Code read with Section 14(c) of the Foreigners Act.

And

In Re: **Buddhadeb Gan @ Gon**

... .. Petitioner

Mr. Shibaji Kumar Das
Mr. Ahshan Ahmed

... .. for the petitioner

Mr. Arijit Ganguli
Mr. Ronit Mukherjee

... .. for the State

1. This is an application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in respect of Sealdah GRPS Case No.75 of 2024 dated 09.05.2024 under Sections 370/107/120B/34 of the Indian Penal Code read with Section 14(c) of the Foreigners Act.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case. He is in custody for about 107 days. Trial has not commenced as yet. The matter has been committed after submission of the charge sheet. The only allegation against the petitioner is that a co-accused conversed with the victim through the mobile phone of the petitioner. The petitioner was never placed in Test Identification Parade.
3. Learned counsel appearing for the State relies on the case diary and strongly opposes the prayer for bail. He relies on a statement contained at page 105 of the case diary and submits as per such

statement of a resident of Delhi, the petitioner and another accused were staying on rent in an accommodation as husband and wife and indulging in trafficking of women.

4. In view of the incriminating materials available in the case diary, we are not inclined to allow the application for bail of the petitioner at this stage.

5. The application for bail is thus rejected

6. Trial be expedited.

7. Criminal Section is directed to provide certified copy of this order, if applied for, to the parties upon completion of requisite formalities.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)