

20.02.2024
ML-576
Court No.29
(AD)
(Rejected)

C.R.M. (A) 5659 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kasba** Police Station Case No.**244** dated **21.06.2023** under Sections **120B/366A/370A/370/372/373** of the Indian Penal Code, 1860 and under Sections **4/17/21** of the POCSO Act and under Sections **3/4/5/6/7** of the Immoral Traffic (P) Act. (Special Case No.185 of 2023).

And

In the matter of: **Shri Dipu Paul Chowdhury**
....petitioner.

Mr. Sekhar Basu, Ld. Sr. Advocate
Mr. Tapas Mukhopadhyay
Ms. Sima Durganand Jha

... for the petitioner.

Mr. Bitasok Banerjee

... for the State.

Petitioner prays for anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that the petitioner is ailing. Petitioner cooperated with the investigation. A raid occurred at the hotel owned by the petitioner on June 21, 2023. Petitioner was called at such hotel. Petitioner went there and cooperated with the investigation. Petitioner was called to witness a seizure done by the police on June 30, 2023. Thereafter, police filed charge sheet arraying the petitioner as an accused. He submits that the detention of the petitioner is not required.

Learned Advocate appearing for the State submits that the hotel belonging to the petitioner was used as a brothel. Two minors were recovered from such hotel. One of the co-accused recorded statement under Section 161 of the Code of Criminal Procedure implicating the petitioner in the incident.

In the present police case, a raid was conducted by the Anti-Human Trafficking Unit of the Kolkata Police where, a number of

persons including two minors were rescued.

The hotel at which the raid took place belongs to the petitioner.

Materials in the case diary suggest involvement of the petitioner in the offences alleged.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5659 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)