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IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI

CRM(DB) No. 18 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 378 of 2022 dated 16.11.2022 under Sections 366A/370 of the Indian Penal Code read with Sections 3/5 of the Immoral Traffic Prevention Act.

And

In Re : Moinuddin Ali @ Minuddin Ali @ Manudin Jabar Ali ..... petitioner

Mr. Kunaljit Bhattacharjee  
Mr. Haider Ali  
Mr. Satyam Sarkar  
Mr. Souparna Sinha

.....for the petitioner

Mr. Aditi Sankar Chakraborty, learned APP  
Mr. Biswarup Roy

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for about six months. It is also submitted co-accused Joynab Khatun @ Joynab Bibi has been granted anticipatory bail by the Hon'ble Apex Court. Other accused are also on bail. He renews his bail prayer.

2. Learned Counsel appearing for the State opposes prayer for bail and submits bail prayer of the petitioner was rejected earlier in December, 2023.

3. We have considered materials on record. Allegations show petitioner was involved in trafficking women for sexual exploitation. One of the victims is a minor. Under such

circumstances, his bail came to be rejected in December, 2023. Subsequently co-accused Joynab Khatun @ Joynab Bibi, wife of the petitioner has been granted pre-arrest bail. There is little possibility of trial commencing in the near future. Under such circumstances, we are inclined to grant bail to the petitioner.

4. Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, Cooch Behar, on further condition that petitioner while on bail shall not enter the Mekhliganj Police Station and shall provide address where he shall presently reside to the investigating officer and learned court below and he shall report to the Officer-in-Charge of the concerned police station once in a week until further orders. Petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**