

13.08.2024
Court No.1
SL No.17
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 297 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jaigaon** P.S. Case No. **253 of 2022** dated **21.10.2022** under Sections **363/354(c)/365/376D** of the IPC.

And

In the matter of: **Biswajit Ghosh**

....Petitioner.

Mr. Surojit Basu
Mr. Ratan Chandra Roy
Mr. Sayantan Bhowmik

...For the Petitioner.

Mr. Abhijit Sarkar
Ms. Namrata Das

...For the State.

Ms. Swarnali Ghosh
Ms. Angana Rakshit
Ms. Rikta Sarkar

...For the de facto complainant.

1. This is the third application for bail. The first application was rejected by a Coordinate Bench of this Court. The second application was withdrawn as not pressed.

2. Bail is sought on the ground that there are no photographs or footage seized in respect of the allegation that the petitioner and the other co-accused have not only raped the petitioner but also circulated photographs of her on social media. The husband of the victim is also an accused.

3. Learned counsel for the State opposes the prayer for bail and submits that the petitioner and the other co-accused persons are part of an international racket involving in trafficking girls, inter alia, from India.

4. Having considered the statement of the victim under Section 164 of the CrPC and the fact that the petitioner and the co-accused threatened to kill the victim girl if she did not withdraw the complaint against them and as some of the accused are absconding and may have escaped away to Bangladesh and as the charges against the petitioner are serious, this Court is not inclined to grant bail to the petitioner at this stage.

5. The application for bail is, thus, rejected.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)