

41.
20-03-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 606 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Dakshineswar Police Station Case No.130 of 2024 dated 31-08-2024 under Sections 126(2), 127(2), 143, 144, 95, 96, 61(2), 64, 3(5) of BNS, 2023 and Sections 4, 17 of the Protection of Children from Sexual Offences Act and Sections 3, 4, 5, 6, 7 of ITP Act.

- A n d -

In the matter of : Subhankar Mahanti

.... Petitioner.

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.,
Ms. Satabdi Das

... For the Petitioner.

Ms. Zareen N. Khan,
Ms. Ankita Paul

... For the State.

Ms. Jhuma Sen,
Ms. Arpita De

... For the victims.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for over six months. He has been falsely implicated. The victim girls and he are classmates. Witness action has not yet started. There is no certainty as to when the trial would conclude. Since investigation is complete, his further custodial detention is unnecessary.

2. Opposing the prayer for bail, learned advocates for the State and the victims draw our attention to the statements of the two victim girls, recorded under Section 164

of the Code of Criminal Procedure. One of the victim girls names the petitioner herein.

3. On an overall reading of the material on record, we find that there *prima facie* appears to be a prostitution racket into which the victim girls may have been pushed. There is *prima facie* complicity of the petitioner in the alleged crime. The vulnerable witnesses are yet to be examined. Therefore, at this stage, we are not inclined to entertain the petitioner's prayer for bail.

4. The application for bail is, thus, **dismissed**.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)