

30.04.2025
Item No.19.
Daily List
Court No.39
Mithun
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 1004 of 2025

In re : An Application under Section 439 of the Code of Criminal Procedure, 1973/ correspondence under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Canning Police Station Case No.374 of 2018 dated 12.06.2018 under Sections 120B, 363,366A,368,370, 370A, 372, 373, 376, 506(II) of the Indian Penal Code and Section 6 of the POCSO Act as Special ST No.08(06) 2019 (Special Case No.144/18).

-And-

In the matter of : Subid Ali Sk.

... Petitioner

Mr. Deepak Prahladka,
Ms. Reshmi Khatun

...for the petitioner

Ms. Sibangi Chattopadhyay

...for the *de facto* complainant

Mr. Partha Pratim Das,
Mr. Sudeshna Das

... ...for the State

Learned Advocate for the petitioner submits that he is in custody for 6 years 10 months. The present petitioner is the uncle of one Amina Sk who has already been granted interim bail by this Hon'ble Court. After the arrest of the principle accused, this petitioner visited the police station to enquire and thereafter he has been falsely entangled in this case. There is no direct allegations against the petitioner. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail and submits that already the examination of witnesses on

behalf of the prosecution has been completed and 15th May, 2025 is fixed for examination of the accused person under Section 351 of the BNSS, 2023. As per the statement of the victim, the present petitioner is the person who trafficked the victim. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant also submits that there are specific allegation against the petitioner and, as such, the bail application is liable to be dismissed.

Perused the Case Diary and materials on record.

It is found that the examination of the witnesses is complete and date is fixed for examination of the accused under Section 351 of BNSS, 2023. The statement of the victim specifically implicates this petitioner of his involvement in trafficking of minor victim for sexual exploitation. Considering the above materials and nature and gravity of the offence, I am not inclined to enlarge the petitioner on bail.

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

The application for bail being **CRM(DB) 1004 of 2025** stands dismissed.

(Bivas Pattanayak, J.)