

01.07.2025
Item No.17.
Daily List
Court No.42
Mithun
(Rejected)

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

CRM (DB) 1110 of 2025

In re : An Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POCSO Case No.43 of 2024 arising out of Samsherganj Police Station Case No.711 of 2024 dated 25.10.2024 under section 17/18 POCSO Act, Sections 3/4/5/6/7/9 ITPA, SECTION 64/127(4)/137(II)/138/140(3)/142/144 OF BNS.

-And-

In the matter of : Samsunneha Khatun @ Neha & Anr.

... Petitioners

Mr. Sandip Chakrabarty,
Mr. Kaustav Das

...for the petitioners

Ms. Jonaki Saha

...for the *de facto* complainant.

Mr. Shaila Afrin,
Ms. Ankita Paul

... ...For the State

Learned Advocate for the petitioner submits that the petitioners are the sex workers in the brothel run by the principal accused Uttam Mondal. There are no such allegation whatsoever against the petitioners of forcing the minor to prostitution, rather the statement of one of the witnesses under Section 161 of the Cr.P.C. would show that these petitioners used to keep the child of the minor victim when she was forced by Uttam Mondal to do the sex work. The petitioner No.1 and petitioner no.2 are in custody for a period of 8 months and 6

months respectively. Charge has not yet been framed. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposing such prayer submits that as per the statement of the victim there are specific allegations against these petitioners of forcing the victim into prostitution and also of threatening the victim. She seeks for dismissal of the bail application.

Similar submission is also advanced on behalf of the learned Advocate for the *de facto* complainant.

Perused the case diary and materials on record.

From the statement of the victim recorded under Section 164 of the Cr.P.C. it is found that there are specific allegations against these petitioners of forcing the victim into prostitution along with the other accused persons. In light of the above materials and the nature and gravity of the offence, I am not inclined to grant bail to the petitioners.

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

Learned Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

The application for bail being **CRM(DB) 1110 of 2025** stands dismissed.

(Bivas Pattanayak, J.)