

26.08.2025
Item no.06(DL)
Court No.42
AN
(Rejected)

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

C.R.M.(M) 1388 of 2025

In Re: An Application for Bail under Section 439 of Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Canning Police Station Case No. 738 of 2018 dated 12.11.2018 under Sections 363/365/366A/370/120B of the Indian Penal Code and under Section 6/17 of the Protection of Children from Sexual Offences Act, 2012 and Sections 5/6 of the Immortal Traffic (Prevention) Act in connection with Special Case No. 106 of 2019, now pending before the learned Judge, Special Court, under POCSO Act, Alipore, South 24 Parganas.

-And-

In the matter of : Anar Gazi @ Anar Sardar

.... Petitioner

Mr. Gourab Ghosh

...for the Petitioner.

Mr. Abhishek Sinha
Mr. Abhinaba Mukherjee

...for the State.

Ms. Sibangi Chattopadhyay

... for the *de facto* complainant

1. Service report filed by the State is taken on record.
2. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner is in custody for almost 365 days. He seeks for enlargement of the petitioner on bail.
3. Opposing such prayer for bail, learned counsel representing the State submits that the petitioner has absconded for six years since initiation of the case and could be

apprehended only in the year 2024. The other accused persons are still absconding. Further, there are sufficient materials on record against the petitioner of his involvement of trafficking of minor. He seeks for dismissal of the bail application.

4. Learned counsel for the *de facto* complainant also prays for dismissal of the bail application.

5. Perused the case diary and the materials on record.

6. The victim in her statement recorded under Section 164 of the Criminal Procedure Code implicates the petitioner along with two others of trafficking her to Delhi and forcing the victim into prostitution. The allegations are grave in nature. Considering the *prima facie* incriminating materials and the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail is rejected.

8. However, learned trial court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

9. Prosecution is directed to produce the witnesses on the date fixed.

10. Parties are directed to cooperate with the trial court during examination of the witnesses.

11. Parties are at liberty to communicate this order to the trial court accordingly.

12. **CRM(M) 1388 of 2025** stands dismissed.

(Bivas Pattanayak, J.)