

D/L46

21.03.2025

Rohit

ct.no.26

C.R.M. (DB) 3128 of 2024

In Re: An application for cancellation of bail under Section 439(2) of the Cr.P.C / under Section 483(3) of BNSS, 2023.

And

In Re: **State of West Bengal**

...Petitioner

Mr. Saryati Dutta
Ms. Debadrita Mondal

...for the State/petitioner

1. Application for cancellation is at the behest of the State and directed against the order no. 7 dated April 30, 2024 passed in Criminal Misc. Case No. 510 of 2024.
2. Learned Advocate appearing for the State submits that the order granting bail is perverse. Materials in the case diary were not considered in the correct perspective. Private opposite party procured the victim, and then sold her for sexual exploitation. Moreover, subsequent to the grant of bail, the private opposite party is absconding. Charges could not be framed due to such absconsion. Warrant of arrest was since issued.
3. None appears for private opposite party despite service. Affidavit-of-service filed in Court be taken on record.

4. Post bail misconduct stands established.
5. Private opposite party is absconding. On that ground alone the order granting bail needs to be cancelled and is hereby cancelled.
6. That apart, on merits, we find that, materials on record implicates the petitioner in procuring victims for the purpose of sexual exploitation and selling them.
7. Considering the gravity of the offence and the involvement of the private opposite party in such crime, we did not find it prudent to enlarge the private opposite party on bail as done by the learned Sessions Judge.
8. On both counts therefore, we cancel the bail granted in favour of the private opposite party.
9. **C.R.M. (DB) 3128 of 2024** is disposed of accordingly.

(Debangsu Basak, J.)

(Smita Das De, J.)