

05.02.2026

Court No.35.

D/L.37.

Rakib

(Rejected)

CRM (M) 158 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kakdwip Police Station case no. 132 of 2019 dated 30.06.2019 under Sections 363/366/34 of the Indian Penal Code.

And

In the matter of : Rohit Gupta @ Rohit Kumar.

.....Petitioner.

Mr. Soubhik Mitter
Mr. Joy Chakraborty
Mr. Sandip Dinda

.....for the Petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 15 days and the petitioner's name did not transpire in the statement of the victim under Section 164 of the Cr.P.C.

On the other hand learned advocate for the State draws the attention to the Court of the earlier order passed in CRM (DB) 2670 of 2022 wherein the Hon'ble High Court was pleased to hold that the case is of trafficking and the local police station have no jurisdiction to investigate the case. Pursuant to the A.H.T.U. taking up the investigation of the present case a detailed investigation was carried out when the petitioner's complicity was transpired.

Having regard to the heinousness of the offence, particularly, child/women trafficking, I am of the view that the petitioner is not entitled to be released on bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

Learned advocate for the petitioner complained that the Court is lying vacant at this stage.

Steps be taken by the State to ensure that a Judicial Officer is assigned the charge of the same Court, in the alternative learned District Judge will ensure that In-Charge Court proceeds with the case.

Accordingly, CRM (M) 158 of 2026 is **dismissed**.

Learned Registrar General, High Court at Calcutta is directed to communicate this order to the learned District Judge, 24 Parganas South so that appropriate steps are taken.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)