

31.07.2023.
17.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2827 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Howrah Women P. S. Case No.26 of 2017 dated 23.05.2017 under Sections 363/363A/370A of the Indian Penal Code and under Sections 8 and 12 of the POCSO Act and Sections 76/84 of the Juvenile Justice Act.

In the matter of : Ainur Sk @ Raja.

... Petitioner.

Mr. Soumya Basu Roy Chowdhury.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,

Mr. Manoranjan Mahata.

...for the State.

Affidavits of the Investigating Officer and the Officer-in-charge, Howrah Women Police Station are placed on record.

Investigating Officer and the Officer-in-charge, Howrah Women Police Station are present. Report is placed on record. The victims have been traced out and the dates have been fixed for their examination before the trial court.

In view of the fact that vulnerable witnesses are yet to be examined and the matter involves trafficking of minors, we are not inclined to grant bail to the petitioner.

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

We request the trial court to positively examine the minors on the date fixed and if it is unable to do positively within a month thereafter.

Parties shall not seek adjournment during their examination on any count.

Personal appearance of the Investigating Officer and the Officer-in-charge, Howrah Women Police Station is dispensed with.

Copy of this order be communicated to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)