

**ST 192 of 2025**  
**[CNR No.-WBHW01-003230-2025]**

**Present : Smt. Asmita Samajder [J.O. Code: WB00956]**  
**Additional Sessions Judge,**  
**4<sup>th</sup> Court, Howrah.**

**Order No. 04 dated 15-07-2025**

Today is fixed for production of all the three accused persons.

**It is pertinent to mention here that this case record has been received yesterday, from the Court of Ld. Sessions Judge, Howrah.**

Out of three accused persons in J/C, one accused namely Soraj Kanjar is physically produced before this court today from the Howrah Correctional Home. A vakalatnama has been filed on behalf of this accused. Let the same be kept with the record.

Rest two female accused persons namely Sahanara Begum and Mafuja Bibi Sha, in J/C, are produced virtually from the Alipore Women's Correctional Home through video conferencing mode (VC).

Today, a bail petition along with a vakalatnama has been filed on behalf of the two female accused persons namely Sahanara Begum and Mafuja Bibi Sha. Copy of the same has been served and has been received by the prosecution with objection.

Accordingly, the said bail petition is taken up for hearing and it is heard at length.

Ld. Advocate for the accused persons namely Sahanara Begum and Mafuja Bibi Sha submits that they have been in detention in J/C since 12-03-2025 and 13-03-2025 respectively, in connection with this case and that they have been falsely implicated herein. He also states that the VG has already been recovered in this case and hence, there is no need for further detention of these two accused persons.

Ld. Special P.P-in-charge, while addressing the instant bail petition, raises vehement objection to the said petition being allowed and mentioned that the involvement of both these accused persons in this case, which relates to inter-State child trafficking, do not entitle them to be released on bail. Ld. Special P.P-in-charge further mentions that this is a fit case for detention and custody trial of these accused persons and he then prays for rejection of the bail petition.

Perused the case diary (in short: CD), and the materials on the case record, as well as the bail petition filed for the accused persons as named above. Considered.

It transpires from the CD and other materials available on record that the accused persons namely Sahanara Begum and Mafuja Bibi Sha, have prima facie involvement in the commission of the alleged offences.

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**(contd...)/Order No. 04 dated 15-07-2025**

The CD further reveals that the allegations against them are of grave nature. At this juncture, their complicity in the commission of the alleged offences cannot be ruled out in any manner whatsoever.

This court is conscious of the fact that the offence alleged pertains to trafficking and illegal selling of newborn babies, a heinous crime which strikes at the very core of human dignity and the rights of children protected under various national and international instruments. The materials collected during the course of investigation point to a prima facie involvement of these accused persons. The possibility of the accused persons tampering with evidence or influencing witnesses also cannot be disregarded at this stage.

In light of the aforesaid discussions, I am not inclined to grant bail to the accused persons as named above.

**Accordingly, the bail petition filed on behalf of the accused persons namely Sahanara Begum and Mafuja Bibi Sha is considered and rejected.**

It is relevant to note here that recently, a Circular has been received from the Hon'ble Calcutta High Court, bearing Circular No. 4529-RG dated 30.06.2025, transmitted via e-mail on 01.07.2025.

Vide such Circular, all the concerned judges of the District Judiciary dealing with child trafficking related cases have been directed to complete the trials of such cases within a period of six months from the date of the said Circular and also conduct the trials on day-to-day basis, if need be.

Such Circular relates to compliance of the judgement dated 15.04.2025 of the Hon'ble Apex Court passed in the case of **Pinki Versus State of Uttar Pradesh and Another [Criminal Appeal No. 1927 of 2025 (Arising Out of SLP (Crl) No. 4658 of 2025)]**, where the Hon'ble Supreme Court had been pleased to observe the following:

*“81. 1. We direct all the High Courts across the country to call for the necessary information as regards the status of the pending trials relating to child trafficking. Once each of the High Courts is able to collect the necessary data as regards the status of the trials, a circular thereafter shall be issued on its administrative side to all the concerned trial courts to complete the trials within a period of six months from the date of the circular and if need be, by conducting the trials on day-to-day basis. Each of the High Courts shall thereafter forward a report to this Court as regards the compliance of the directions contained in the circular.*

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**m. Non-compliance of our directions or any laxity of any nature in that regard on the part of any of the authorities shall be viewed very strictly and if need be, they shall be proceeded for contempt.”**

*(emphasis supplied)*

Accordingly, in light of the aforesaid directions, every effort must be made to conclude the trial of this case within a period of six months, i.e., by 15<sup>th</sup> January 2025. With this objective in mind, it is desirable that today, the charges be framed against the accused persons. Moreover, the prosecution has filed the draft charges today. Let it be kept with the record.

The record is then taken up for hearing of framing of charges against the accused persons.

Heard both sides.

The case is opened by the Ld. Special PP-in-Charge, who outlines the charges framed against the three accused persons and also sets forth the manner in which he proposes to prove their guilt.

**Considering the materials and documents on record, charges under Sections 137(2)/140(3)/140(4)/142/143(4)/98/99/238/61(2)/3(5) of the Bharatiya Nyaya Sanhita are framed against all the three accused persons namely Sahanara Begum, Mafuja Bibi Sha and Soraj Kanjar.**

The said charges under the sections, as mentioned above against each of the accused persons, are read over and explained to the accused persons namely Sahanara Begum and Mafuja Bibi Sha in Bengali language, in which they are conversant, and the said accused persons have pleaded not guilty by saying '*Aamra Nirdosh*' and claimed to be tried.

The said charges against the accused Soraj Kanjar are read over and explained to him in Hindi language, in which he is conversant, and the said accused has pleaded not guilty by saying '*Nirdosh Hain*' and claimed to be tried.

Accordingly, as per prayer of the Ld. Special P.P-in-charge, fixing **02-08-2025 (at 2 P.M.)** for evidence of CSW1/de facto complainant.

Ld. Defence Counsels also agree with the Ld. Special PP-in-Charge on the date so fixed for trial.

Next date is noted down by all concerned in the open court.

**Ld. Special PP-in-Charge is directed to issue summons to the witness and produce alamat, if any, on the date fixed positively.**

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**The accused persons in J/C are to be produced physically on the next date so fixed.**

To date.

Return CD.

Typed & corrected by me;

Sd/-

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Additional Sessions Judge,  
4<sup>th</sup> Court, Howrah