

Order no.56

Dated, 06.07.2023

Out of 6 accused persons 3 accused persons on c.b. namely, Mrinal Kanti Sarkar, Puja Lal Bahadur Sarma and Hasinur Laskar are present by filing hazira. Rest 3 accused persons in J.C. namely, Rafikul Laskar, Gouri Tamang and Sagar @ Israfil Laskar are not produced from J.C. A letter is received from Superintendent, Baruipur Central Correctional Home wherein it is stated that accused Israfil Laskar could not be produced before the court since a large number of police persons are engaged in view of the Panchayet Election 2023. A general message addressed to the Superintendent of Correctional Homes as well as this court from the S.P. Basirhat Police District wherein it is informed that the District will not be in a position to provide escort party and vehicles for escorting UTPs to the courts on and from 5<sup>th</sup> to 8<sup>th</sup> July, 2023.

Ld. P.P. in charge and the Ld. Advocates for the accused persons are present. No witness is present today. In the absence of any witness and some of the accused persons trial has to be deferred today. Accordingly, fix 17.08.2023 for appearance, production and evidence of CSW no.1.

Prosecution to take steps accordingly.

A petition has been filed on behalf of accused Gouri Tamang praying for an order enlarging the accused on bail.

Heard the Ld. Advocate for the accused Gouri Tamang and the Ld. P.P. in charge on the bail petition.

It is stated that the accused never filed any bail petition before the Hon'ble High Court. Ld. Advocate for the accused submits that the accused is a woman, aged 58 years and she is in custody for about 4 years 7 months from 24.11.2018. It is further pointed out that the victim girl while deposing as PW-1 made no allegation against the accused Gouri Tamang.

The Ld. P.P. in charge has raised strong objection against the bail petition and pointed that name of this accused came up during investigation. That she is one of the brothel managers and is involved in the alleged offence. It is further submitted that bail petition made on behalf of other accused persons were rejected by the Hon'ble High

Court.

It appears from the record that cross-examination of PW-1 was deferred till the examination of the CSW no.1, the de facto complainant and CSW no.4, another victim.

Considering the gravity of the charge against the accused under Immoral Traffic Prevention Act, 1956 and considering the fact that all the vital witnesses have not yet been examined in this case, I am not inclined to allow the bail prayer at this stage. Accordingly, the bail petition stands rejected.

D/C by me.

Additional Sessions Judge  
Fast Track Court-3, Basirhat