

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore

Special Case No. 99/2024

CNR: WBSPO1-003877-2024

Ref.: Thakurpukur PS Case no: 78/2024 Dated : 19.03.2024

U/s 366A/370/370A/372/373/120B of I.P.C read with Sec 04/17 of the Protection of Children from Sexual Offence Act, 2012 and section 3/4/5/6/7 of Immoral Traffic (Prevention) Act.

Present :Sudipta Bhattacharjee (JO Code - WB00794)

Judge, Special Court & 2nd A.S.J.,

Alipore, South 24-Parganas.

State Vs. Susmita Roy alias Susmita Chowdhury, Chaitali Shaw & others

Order No.07

Dt. 29-04-2024

The accused persons namely Susmita Roy alias Susmita Chowdhury, Chaitali Shaw and Jayanta Roy are produced before this Court from J/C through VCS.

The I.O. of this case is present before this Court and submitted a prayer for remanding the accused persons to judicial custody.

The Id. Lawyer for the accused Chaitali Shaw has submitted that the accused was produced before this Court for the first time on 20-03-2024 by showing her arrested on 20-03-2024 at 6.35 hours. But it appears from the report that police authority had received the information on 19-03-2024 at 14.05 hours and went to the premises, in question, and arrested the petitioner and another woman and allegedly rescued the minor girl and detained the accused from 18.50 hours to 19.15 hours on 19-03-2024. Id. Advocate pointed out the anomaly as regards the arrest of the accused as because he was already arrested on 19-03-2024, but the Arrest Memo. was prepared on the next day morning.

A bail prayer is submitted for the accused Chaitali Shaw.

Ld. Advocate for the accused person has submitted that the accused is innocent and has been falsely implicated in this case and she being a lady is in custody for a considerable period of time. Id. Advocate further submitted that no bail petition is either pending or rejected before or by the Hon'ble High Court.

Ld. Special P.P. raised objection against the prayer for bail.

The defacto complainant is present before the Court and she also raised objection against the prayer for bail.

Perused the materials in the case record and the CD.

Considered.

This is a case under sections 366A/370/370A/372/373/120B of I.P.C read with Sec 04/17 of the Protection of Children from Sexual Offence Act, 2012 and section 3/4/5/6/7 of Immoral Traffic (Prevention) Act. It appears that the case is at nascent stage of investigation. Considering the facts and circumstances of the case, materials in the case record and the early stage of investigation, I am not inclined to enlarge the accused person on bail.

Hence, the prayer for bail is considered and rejected.

However, considering the fact of anomaly as pointed by the Id. Lawyer for the accused as regards arrest of the accused, the I.O. is directed to file show cause by the next date fixed as to why the said anomaly has been happened.

Contd. Order No.07 dt. 29-04-2024

To 13-05-2024 for production of the accused persons, show cause by the I.O. and I.O's report.

Return CD.

The I.O. of this case is directed to bring the defacto complainant of this case before this Court on the next date fixed.

Inform the I.O.

D/c by me.
Sd/-

Judge, Special Court &
2nd A.S.J., Alipore

Sd/-

Judge, Special Court &
2nd A.S.J., Alipore.