

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore  
**Special Case No.144/20**  
**CNR - WBSP01-007031-2020**

Present :Manas Ranjan Sanyal (JO Code - WB00666)  
Judge, Special Court & 2nd A.S.J.,  
Alipore, South 24-Parganas.

Order No.50  
Dt.16.09.2022

Out of three accused persons one accused person namely Kiran Kumar is produced from J.C through VCS.

Accused persons namely Nisha Rani @ Gomathi Eshwari and Jasmin Salim Mollah @ Sathi @ Lovely are produced from Alipore Women Correctional Home in person.

Accused Abed Ali Molla on bail is absent by petition.

A bail petition has been filed on behalf of accused Kiran Kumar by learned advocate from the legal aid panel.

Heard both sides.

Learned advocate for accused Kiran Kumar submitted that this accused person is in custody since long. The only allegation against this accused is that the accused being an auto-driver assisting the trafficker to transport the victim girl. The principal accused Abed Ali is granted bail. So, considering the allegation levelled against this accused he may be granted bail imposing any terms and conditions.

Learned Special P.P-in-Charge raised objection.

Perused CD especially statement of the victim girl recorded u/s 164 of Cr.P.C and 161 of Cr.P.C and other materials on record.

It appears from the materials on record that this accused person is no doubt an autodrivers but he is closely connected with Nisha Rani @ Gomathi Eshwari and the victim girl specifically stated that this autodrivers assisted the trafficker Nisha Rani @ Gomathi Eshwari to transport the victim girl especially the minor victim girl for commercial exploitation. The Hon'ble Court has been pleased to reject the bail application of accused Nisha Rani @ Gomathi Eshwari and directed this Court to consider the issue of framing charge on the next date fixed if it is unable to do so positively within a month thereof and in the event charge is framed to take proceeding with logical conclusion without granting unnecessary adjournment to either of the parties. This accused is residing at Bangalore. So if the accused be granted bail there is every possibility of his absconding and that will cause delay in disposal of this case as per direction of the Hon'ble Court. So, considering the incriminating materials against this accused person and considering the

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possibility of winning over the vulnerable witnesses I am not inclined to grant bail to this accused at this stage. Accordingly the bail prayer of accused Kiran Kumar is rejected.

Fix 03.11.2022 for E/R of W/P&A against accused Selim Molla.

Surety of Abed Ali Molla is directed to produce the accused Abed Ali Molla on the next date positively otherwise warrant will be issued against him.

Another petition has also been filed on behalf of Nisha Rani @ Gomathi Eshwari praying for direction upon the Superintendent of Alipore Women Correctional for providing her holy book "Bible" for performing rituals of her husband.

A prisoner's petition is filed on behalf of the Jasmin Salim Mollah @ Sathi @ Lovely through the Superintendent of Alipore Women Correctional Home praying to hand over her male child namely Siyan Salim Molla to her sister Ashma Khatun.

Heard both sides. Perused the petition.

Both prayers are considered and allowed.

The Superintendent of Alipore Women Correctional Home is directed to provide holy book "Bible" to Nisha Rani @ Gomathi Eshwari for performing rituals of her husband as per Jail Code and he is also directed to hand over the male child of accused Jasmin Salim Mollah @ Sathi @ Lovely namely Siyan Salim Molla to her sister Ashma Khatun after observing all formalities as per Jail Code and submit the report of the same before this Court.

To date i.e. 03.11.2022 for production, appearance and I.O's report.

D/c by me.

Sd/-Manas Ranjan Sanyal  
Judge, Special Court &  
2nd A.S.J., Alipore.

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