

**Special Case No. 216/18**

Order No.21

Dt.30.05.2019

Out of five accused persons, accused Monojit Das is produced from J.C through V.C.S. Accused Pinki Rajak, Mithu Ghosh and Krishna Singh are produced from J.C in person. None moved on their behalf, though they submitted that they have their Ld. Advocates.

A report is received from the Superintendent of Presidency Correctional Home, Alipore for non-production of the accused Uddalak Maitra through V.C.S due to non availability of Internet connectivity in the Correctional Home.

Today is fixed for supply of copy.

A compliance report has been received in this regard.

Fix 28.08.2019 for consideration of charge.

Bail petition of accused has been moved by his Ld. Advocate.

Copy served. Objection noted.

Ld. Advocate for the accused Uddalak Maitra submits that this accused person has been falsely implicated in this case and is in J.C since long. He has submitted that charge sheet has already been submitted in this case and that he is an aged person and is ill. So he prays for grant of bail of the accused person.

Ld. Special P.P raised strong objection by submitting that this accused is the brothel owner and is connected with trafficking business.

Heard all sides. Perused the application on record. Considered.

On consideration of the same, I find that it is a case under POCSO Act along with Immoral Trafficking (Prevention) Act and Indian Penal Code. The allegation against accused Uddalak Maitra is that he is the brothel owner. Charge sheet has been submitted against all the accused persons. Copy of documents have been supplied to the accused persons. Date has been fixed for consideration of charge. Considering the gravity of offence and materials in record, I am not inclined to allow bail prayer of this accused person.

Hence, the bail application of the accused person namely Uddalak Maitra stands rejected.

At this stage, Ld. Defence Counsel files another application on behalf of Arshi Maitra along with vokalatnama praying for I.O's report claiming that her house is under lock and key by the I.O of this case.

It appears from the record that Arshi Maitra is not a party in this case. She is only the daughter of accused Uddalak Maitra. Moreover, no document has been furnished to substantiate that she is the owner of the house. So she has no locus standi in this case. Thus, the petition is misconceived and hence rejected.

Today is also fixed for hearing of the petition filed by De-facto complainant. Heard Ld. Advocate for the De-facto complainant.

To date i.e 28.08.2019 for production and hearing the petition on behalf of Ld. Special P.P as well as Ld. Defence.

D/c by me.

Sd/-  
Sonia Majumdar  
Judge, Special Court &  
2nd A.S.J., Alipore.

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