

Special Case No. 216/18

Order No.23

Dt.28.08.2019

Out of five accused persons, accused Uddalak Maitra and Monojit Das are produced from J.C through V.C.S. Accused Pinki Rajak, Mithu Ghosh and Krishna Singh are produced from J.C in person.

Today is fixed for hearing petition filed by Ld. Advocate for De-facto complainant dated 20.06.2019.

Ld. Advocate for the De-facto complainant submits that victim girl is major and so she prays for release from the Home. She has submitted by firsty xerox copy of documents showing the original before the Court.

Heard Ld. Special P.P also.

Let a copy of this order along with xerox copy of document be sent to the I.O of this case for verification and submission of report.

Now the bail petition of accused Monojit Das has been moved by his Ld. Advocate.

Copy served. Objection noted.

Ld. Advocate for the accused Monojit Das submits that this accused person is in J.C since long and that charge sheet has been submitted in this case and that the bail prayer of this accused has been rejected by the Hon'ble High Court, Calcutta. So he prays for grant of bail of the accused person.

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

Copy served. Objection noted.

Ld. Advocate for the accused Pinki Rajak submits that this accused person is no way connected with this case and charge sheet has been submitted in this case and that she has submitted in writing that no bail prayer is rejected or pending before the higher forum in connection with this case on any occasion. So he prays for grant of bail of the accused person.

Bail petition of accused Uddalak Maitra 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 charge sheet has 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 all the accused persons are connected with trafficking business and Hon'ble High Court has been pleased to reject the bail application of accused Pinki Rajak and Manojit Das.

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

On consideration of the same, I find that it is a case under Immoral Trafficking (Prevention) Act and POCSO Act. The allegation against accused Uddalak Maitra is that he is the brothel owner. Charge sheet has been submitted against all the accused persons. Moreover though Ld. Advocate for accused Pinki Rajak has submitted in writing that no bail prayer of this accused has been rejected by the Hon'ble High Court but it comes out that in CRM No.1066 of 2019 vide order dated.24.01.2019, the Hon'ble High Court was pleased to reject the bail application of this accused. It also appears that in CRM No.1416 of 2019 vide order dated 07.02.2019, the Hon'ble High Court, Calcutta was pleased to reject the bail application of the accused Manojit Das. Under such circumstances, in view of the Hon'ble High Court and also considering the gravity of offence and materials in record, I am not inclined to allow bail prayer of these accused persons.

Hence, the bail applications of the accused persons namely Monojit Das, Pinki Rajak and Uddalak Maitra stand rejected.

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None moved on behalf of accused Mithu Ghosh and Krishna Singh.

At this stage, a petition has been filed by the Ld. Advocate for accused Pinki Rajak for discharge of the accused in this case. Copy served. Objection noted. Let it be kept with the record.

At this stage, one petition has been filed on behalf of Arshi Maitra along with vokatnama praying for entry to the house of accused Uddalak Maitra which is under lock and key, claiming that she is daughter of the accused.

It appears from the record that vide order no.21 dated 30.05.2019 the same subject matter has already been adjudicated and hence it is now rejected.

Fix 29.11.2019 for production and consideration of charge and I.O's report.

To date for hearing the petition filed by accused Pinki Rajak.

D/c by me.

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

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