

Special Case No.234/19

Order No.16
Dt.03.02.2020

A put-up petition is filed on behalf of the accused Laxmi Sarkar @ Payel for hearing the bail petition dated 18.12.2019 today.

Put up petition is considered and allowed.

Now the bail petition of accused Laxmi Sarkar @ Payel filed on 18.12.2019 has been moved by her Ld. Advocate.

Copy already served to Ld. Special P.P. Objection noted.

Ld. Advocate for the accused Laxmi Sarkar @ Payel submitted that this accused person has been falsely implicated in this case and that she is a pregnant lady and is in J.C since 04.11.2019 and has her two minor children and that no bail prayer is rejected or pending before the higher forum in connection with this case on any occasion and that charge sheet has been submitted. So he prayed for grant of her bail.

Today is also fixed for hearing bail petition of accused Somenath Das and Arpita Majumdar filed on 18.12.2019.

Bail petition of accused Somenath Das and Arpita Majumdar has been moved by their Ld. Advocate.

Copy already served to Ld. Special P.P. Objection noted.

Ld. Advocate for the accused Somenath Das and Arpita Majumdar submitted that these accused persons have been falsely implicated in this case and they are in no way connected with the case and that charge sheet has been submitted in this case and that no bail prayer is rejected or pending before the higher forum in connection with this case on any occasion. So he prayed for grant of their bail.

Ld. Special P.P raised strong objection by submitting that all the accused persons are involved in trafficking of minor girls.

Heard both sides. Perused the petition, record and case diary. Considered.

On consideration of the same, I find that charge sheet has been submitted against these accused persons along with other accused persons under section 120B/366A/370/372/373 I.P.C read with section 4/17 of the Protection of Children from Sexual Offence Act, 2012 and section 3/4/5/7/18 of I. T (P) Act Immoral Trafficking (Prevention) Act and POCSO Act. So, prima facie case has been made out against the accused persons. Considered the statement of the victim girls u/s 164 of Cr.P.C and Medical Reports along with materials in record. 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 above named accused persons stand rejected.

To date (i.e 15.01.2020) for production.

D/c by me.

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

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