

Special Case No. 234/2019

Order No.42
Dt.02.09.2020

Out of Nine (09) accused persons namely Abhirup Nandy @Jishu, Rabi Pramanik @Abir and Prasenjit Banerjee @Jay are produced from J.C through V.C.S.

Accused, Somnath Das, Uttam Biswas, Arpita Das, Laxmi Sarkar @Payel, Arpita Majumder and Ruksana Bibi @Tuktuki are not produced.

Learned advocate for accused, Prasentij Burman, Arpita Das and Ravi Pramanik @ Abir submits that these accused person were arrested on 01.11.2019 from different places and they have been implicated in this case falsely. This is absolutely false case manufactured by the police. Statements of victim girls were recorded long after the alleged incident. None of the witnesses stated anything against these accused persons. N.I.A is a the competent authority to investigate the offence. Police has no authority to investigate this case. Charge sheet has been submitted in this case in clear violation of law. All the three accused persons are innocent. They may be released on bail imposing any terms and condition.

Learned advocate for accused Arpita Majumdar moves bail prayer and submits that there is no materials against this lady and her child is very sick. She may be released on bail considering her long detention and illness of her child.

Learned advocate for accused Uttam Biswas moves bail prayer and submits that this accused is in custody for more than 06 months. He has been implicated in this case without any basis. There is no cogent reason to detain him further as investigation has already been completed.

Learned Special P.P raises objection and submits that this is a case relating to child trafficking. Bail application of co-accused, Ruksana Bibi @Tuktuki and Prasenjit Burman were rejected by the Hon'ble High Court.

It reveals from the case record that children were sexually exploited in an organized manner. Offence alleged to have been committed by the accused persons are very grave in nature. The bail prayer of the co-accused persons have already been rejected by the Hon'ble High Court. There is every possibility of repeating the offence and tampering evidence. It would not be wise to enlarge any of the accused persons on bail. Accordingly, bail prayer of all the accused persons is rejected.

Accused persons are remanded to J.C till next date.

Fix 09.10.2020 for consideration of charge and production.

D/c by me.

Sd/-
Ashutosh Sarkar
Judge, Special Court &
2nd A.S.J., Alipore.

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