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02.04.2019
Circuit Bench
Rrc
(Rejected)

C.R.M. 49 of 2019

Re : An application for bail under section 439 of the Code of Criminal Procedure, 1973.

In the matter of : **Satyen Basunia**

..... petitioner

Mr. Anirban Banerjee

.....for the petitioner

Mr. Aditi Shankar Chakraborty

Mr. Ujjal Luckom

..... for the State

The petitioner seeks bail in connection with Kuchlibari Police Station F.I.R. No. 83 of 2018 dated 6th December, 2018 registered under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (hereafter POCSO Act).

Although the petitioner is stated to be in custody for 116 days and that police report (charge-sheet) under Section 173(2), Code of Criminal Procedure has been submitted upon completion of investigation, we are of the considered view upon hearing learned advocates for the parties and on perusal of the case diary (more particularly, the statement of the 15 years' old victim) that this is not a fit and proper case for making a direction, as prayed for.

Accordingly, C.R.M.49 of 2019 is rejected at this stage.

(Shivakant Prasad, J.)

(Dipankar Datta, J.)

