

17.06.2019.
Item No.32
(Rejected)
ab

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 317 of 2019

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.04.2019 in connection with Kumargram P.S. Case No. 10 of 2019 dated 03.02.2019 for committing offence punishable under Sections 448/427 of the Indian Penal Code read with Sections 4/10 of the Protection of Children from Sexual Offences Act, 2012;

And

In the matter of : Saddam Hossain @ Salman Mia
@ Saddam Miya. ... petitioner.

Mr. Arijit Ghosh. ...For the petitioner.

Mr. Nilay Chakraborty,
Ms. Namrata Das. ...For the State.

Heard the learned Advocates appearing on behalf of the parties.

This bail application is taken out by the petitioner on the premise that he has been falsely implicated in Kumargram P.S. Case No. 10 of 2019 dated 03.02.2019 for committing offence punishable under Sections 448/427 of the Indian Penal Code read with Sections 4/10 of the Protection of Children from Sexual Offences Act, 2012.

It appears that the bail application filed by the petitioner being CRM No. 109 of 2019 was rejected by this Court on 5th April 2019.

The charge-sheet has already been submitted. The learned Advocate for the State is unable to divulge as to whether the charge has been framed or not.

Be that as it may, we have perused the case diary and have also read the statements of two victim minor girls recorded under Section 164 of the Criminal Procedure Code and we are of the opinion that it is not a fit case where the petitioner should be enlarged on bail.

The prayer for bail of the petitioner is rejected.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)