

04.09.2020

Item No.15

Dc/Aj.

Rejected

C.R.M. 6237 of 2020
C.R.A.N. 1 of 2020 (Old No. C.R.A.N. 4747 of 2020)
(Through Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure in connection with Harwood Point Coastal Police Station Case No. 140 of 2019 dated 09.06.2019 arising out of Special POCSO No. 27 of 2019 under Sections 363/365 of the Indian Penal Code and read with Section 6 of the Protection of Children from the Sexual Offences Act.

And

In the matter of : Sri Biswajit Das. ... Petitioner.

Ms. Jeenia Rudra. ... For the Petitioner.

Mr. Tanmay Kumar Ghosh,
Mr. Arindam Sen. ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned advocate for the petitioner submits that the petitioner is in custody for about 268 days and further detention of the petitioner is unwarranted.

The learned advocate for the State opposes the prayer for bail and draws the attention of this Court to the statement of the victim under Section 164 of the Code of Criminal Procedure.

We have perused the statement of the victim and we are of the opinion that the petitioner's application for bail cannot be favoured at this stage till the deposition of the victim girl before the learned Trial Court is over. Accordingly, the prayer for bail of the petitioner is rejected.

CRM 6237 of 2020 and CRAN 4747 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)