

06
jks
Ct.
12

14.10.2020.

CRM 6312 of 2020
with
CRAN 1 of 2020
(Via Video Conference)

In re : An application under Section 439 of the Code of Criminal Procedure in connection with Special Case No.38/2020 arising out of Duttapukur P.S. Case No. 269 of 2020 dated 11.04.2020 under Sections 376(2)(n)/506 of the Indian Penal Code and 6 of the POCSO Act.

Sumit Bairagi.
Vs
The State of West Bengal .

Mr. Kamalesh Chandra Saha,
... For the Petitioner.
Mr. S.S. Imam,
Mr. Subrato Roy,
...For the State.

Having heard the learned Advocate for petitioner and the learned Advocate for the State and on careful perusal of the case diary, it is ascertained that the victim and the petitioner had developed intimate relation which culminated in physical intercourse. The victim is a minor. Though the learned Advocate for the petitioner strenuously submits that there was a love relation between the parties but subsequently the petitioner refused to marry her and only at that stage, the FIR was registered. Considering the age of the victim, we are prima facie satisfied about the offence committed by the petitioner. Moreover, the petitioner took some intimate photographs of the victim and intimidated her and established physical relationship by way of intimidation.

Some photographs were also recovered and seized by the

investigating officer. Considering the materials in case diary and in view of the fact that charge-sheet had already been submitted, we are not in a position to release the petitioner on bail. Prayer for bail is, therefore, refused.

CRM 6312 of 2020 is disposed of and with the disposal of the CRM 6312 of 2020, CRAN 1 of 2020 is also disposed of.

(Subrata Talukdar, J.)

(Bibek Chaudhuri, J.)