

21.09.2020

Item No.6

Ct.No.11

dc.

Rejected

C.R.M. 6450 of 2020

C.R.A.N. 1 of 2020

(Through Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure in connection with POCSO Case No. 82 of 2019 arising out of Debra P.S. Case No. 559 of 2019 dated 26.10.2019 under Sections 376DA/328/120B of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act.

And

In the matter of : Ashoke Kumar Maji @ Ashoke Kr. Majhi
... Petitioner.

Mr. Soumya Basu Roy Chowdhuri ... For the Petitioner.

Mr. Madhusudan Sur,
Mr. Aniket Mitra ... For the State.

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

Learned advocate for the petitioner submits that the petitioner was involved in conspiracy only and is in custody for about 350 days. The learned advocate further submits that since charge-sheet has already been submitted, further detention of the petitioner is unwarranted.

Learned advocate for the State opposes the prayer for bail of the petitioner and produces the case diary and draws the attention of this Court to the statement under Section 164 of the Code of Criminal Procedure of the victim girl.

We have perused the materials on record including the statement of the victim and the medical records. On perusal of the same, we are of the opinion that the petitioner is not entitled to be released on bail at this stage. Accordingly, prayer for bail of the petitioner is rejected.

CRM 6450 of 2020 and CRAN 1 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)