

15.09.2020

ssd

**CRM 6489 of 2020
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Duttapukur P.S. Case No.312 of 2020 dated 25.04.2020 under Sections 376AB/506 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In the matter of: **Nidul Paul**

....Petitioner.

Mr. Mazahar Hossain Chowdhury

...for the Petitioner.

Mr. Swapan Banerjee

Mrs. Purnima Ghosh

...for the State.

The petitioner undertakes to appropriately stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that a long-standing dispute with the family of the alleged survivor has resulted in a false complaint being lodged on behalf of the 10-year-old survivor.

The State relies on the statement of the survivor recorded under Section 164 of the Code. The statement is clear, categorical and makes out how the petitioner had dealt with the minor girl.

Considering such statement, the prayer for bail cannot be acceded to.

CRM 6489 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)