

15.09.2020

ssd

CRM 6488 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda P.S. Case No.92 of 2020 dated 08.02.2020 under Sections 4/18 of the POCSO Act.

And

In the matter of: **Ranjit Saha**

....Petitioner.

Mr. Biswajit Tiwari

...for the Petitioner.

Mr. Saibal Bapuli

Mr. Imran Ali

Mrs. Manasi Ray

...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 belated complaint has been lodged and the complaint and the statement of the alleged survivor under Section 164 of the Code are at variance. The petitioner also insinuates that love letters had been written by the alleged survivor to the petitioner long before the date of the alleged incident.

The State relies on the statement made by the survivor under Section 164 of the Code, which is clear and unambiguous. Further, the mere delay of seven or eight days in lodging the complaint cannot be regarded

as unusual or fatal, particularly since there is invariably any attempt in the village area to bring about a resolution.

Considering the material against the petitioner and the survivor's statement, the prayer for bail is refused.

CRM 6488 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)