

23.9.2020
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IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 6569 of 2020

Bhanjan Halder

-vs-

The State of West Bengal

with

CRAN/1/2020

In Re: An application for bail under **Section 439 CrPC** in connection with Karimpur P.S. Case No.37 of 2020 dated 15.2.2020 under sections 363/366/120B/376 of the Indian Penal Code and under Section 6 of the POCSO Act.

Ms. Karabi Roy

...for the petitioner.

Mr. S.G. Mukherjee, Id. P.P.,

Mr. Aniket Mitra

... for the State.

The advocate-on-record for the petitioners undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

The learned Advocate appearing for the petitioner submits that the petitioner is in custody for 87 days and charge-sheet has already been submitted. Learned Advocate further adds that there was a relationship between the present petitioner and the victim girl, which would be reflected from the nature of evidence so collected by the Investigating Agency.

Mr. Aniket Mitra, learned Advocate appearing for the State opposes the prayer for bail and draws the attention of this court to the statement under Section 164 of the Code of Criminal Procedure as also the medical documents. He further submits that the victim is 15 years of age.

We have taken into account the materials appearing in the case diary. Having regard to the fact that the victim is only 15 years of age and that the charge-sheet has already been submitted, we are

of the opinion that it would not be proper to release the petitioner on bail at this stage before the evidence of the victim is recorded by the learned Trial Court.

Accordingly, the prayer for bail of the petitioner is rejected.

CRM No. 6569 of 2020 and CRAN/1/2020 are disposed of.

[Tirthankar Ghosh J]

[Samapti Chatterjee, J]