

18.09.2020

Court No. 19
Item No. 27
abhar/bdatta

**CRM 6869 of 2020
With
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 Domjur Police Station Case No. 511 of 2019 dated 23.08.2019 under Section 354AB of the Indian Penal Code and Section 6 of the POCSO Act.

**and
In the matter of: Shantilal Das @ Santiram Das
... Petitioner**

Mr. Ravi Ranjan Kumar.

.....for the Petitioner

Mr. Apurba Kumar Datta.

..... For the State

The learned advocate for the petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 1 of 2020 is accordingly disposed of.

The learned advocate for the petitioner submits that the petitioner is in custody for about 391 days and there has been no progress in the case. The learned advocate further submits that the petitioner has been implicated in this case out of previous grudge.

The learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and further contends the manner in which five years girl has been tortured.

We have taken into account of the statement of the victim and having considered the nature and gravity of the offence as also the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we are not inclined to release the petitioner on bail at this stage. Accordingly, the prayer for bail is rejected.

The application for bail being C.R.M. 6869 of 2020 is dismissed.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)