

18.09.2020

Court No. 19
Item No. 28
abhar/bdatta

**CRM 6870 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 Kotwali Police Station Case No. 219 of 2020 dated 08.04.2020 under Sections 376(3) of the Indian Penal Code and Section 4 of the POCSO Act.

**and
In the matter of: Pradip Sarkar @ Sukhen
... Petitioner**

Mr. Subhrajyoti Ghosh.

.....for the Petitioner

Ms. Faria Hossain,
Ms. Baisali Basu.

..... 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 163 days and the charge sheet has already been submitted, further detention of the petitioner is unwarranted.

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.

We have taken into account of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as also the other materials so appearing in the case diary. Having considered the nature and gravity of the offence we are not inclined to release the petitioner on bail. Accordingly, the prayer for bail is rejected.

We have been informed by the learned advocate for the State that the next date is fixed on 25th September, 2020 for consideration of

charge.

The learned Judge, Special Court is directed to take all necessary efforts for completion of this stage either on the said date or within a week thereafter.

The learned Judge, Special Court is further directed to take all possible steps for concluding the trial within a reasonable period of time as enshrined under the Act.

With the aforesaid observations, the application for bail being C.R.M. 6870 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)