

Sl. September
20. 29, 2020

C.R.M. 7291 of 2020
With
C.R.A.N. 1 of 2020

(Via Video Conference)

In the matter of : An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Haridevpur Police Station Case No. 474 of 2019 dated November 5, 2019 under Section 376 of the Indian Penal Code read with Section 6 of the Prevention of Children from Sexual Offences Act;

And

In the matter of : Jagadish Bhunia ...petitioner.

Versus

State of West Bengal ...opposite party.

Ms. Pampa Dey (Dhabal),
...for the petitioner.

Ms. Sukanya Bhattacharya,
Mr. Md. Kutubuddin,
...for the State.

The petitioner undertakes to appropriately affirm and stamp the petition as per the Rules within one week 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 completely false case has been lodged since the mother of the minor survivor, the defacto complainant, has claimed that the minor girl was sent to the petitioner's place for a period of ten days.

The State produces the statement of the survivor recorded under Section 164 of the Code. The statement is vivid and details the acts

allegedly performed by the petitioner herein. Notwithstanding any anomaly or mistake in the complaint, once the statement appears to be clear and untutored, the petitioner cannot be shown any latitude, particularly considering the tender age of the survivor.

The prayer for bail is rejected.

CRM 7291 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

ar

(Aniruddha Roy, J.)