

01-10-2020
Subha
Item no.08
rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 7324 of 2020

Dilip Hazra.

-vs-

The State of West Bengal

With

CRAN 1 of 2020

(Via video conference)

In Re: An application for **bail** under **Section 439 CrPC** in connection with Pathar Pratima P.S. Case No. 22 of 2020 dated 17-02-2020 under sections 376(2)(f) of the Protection of Children from Sexual Offences Act.

Mr. Sandeep Prasad Shaw

... for the petitioner.

Mr. Prasun Kumar Datta, Ld. A.P.P

Mr. Nirupam Dhali

....for the State.

The advocate-on-record for the petitioner 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. Accordingly, CRAN 1 of 2020 is disposed of.

The learned advocate appearing on behalf of the petitioner submits that the petitioner is in custody for more than 220 days. It is further submitted by the learned advocate for the petitioner that the medical test was denied by the victim girl. Therefore, the petitioner is entitled to bail on any stringent condition.

Mr. Dutta, learned Additional Public Prosecutor appearing for the State opposes the prayer for bail and submits the victim girl is only aged about 15 years. It is further submitted that the chargesheet has already been submitted.

We have perused the materials contained in the case diary and the statement of the victim girl recorded under Section 164 of the Code of the Criminal Procedure.

After hearing the submissions of the learned advocate appearing for the respective parties and after perusing the materials contained in the case diary, we are not inclined to grant bail to the petitioner.

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

With the aforesaid, CRM 7324 of 2020 is disposed of.

[Subhasis Dasgupta, J]

[Samapti Chatterjee, J]

