

17 13.10.2020
rkd Ct. No.23

C.R.M. 7660 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Falakata** P.S. Case No. **606 of 2019** dated **21/10/2019** under Sections **376(2)(i)** of the Indian Penal Code and under Section **6** of the POCSO Act.

And

In the matter of: - Binay Chakraborty

....petitioner.

Mr. R. Ghosh

...for the petitioner.

Mr. A. S. Chakraborty

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

Petitioner is in custody for 355 days. It is further submitted that there is delay in lodging the F.I.R.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that the victim is a minor aged around 13 years.

Having considered the materials on record and bearing in mind the prima facie involvement of the petitioner in sexually violating a minor girl and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Moushumi Bhattacharya, J.)

(Joymalya Bagchi, J.)