

CRM 7793 of 2020
with
IA No: CRAN 1 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat P.S. Case No.57 of 2020 dated 14.02.2020 under Section 376 of the Indian Penal Code.

And

In the matter of: **Bharat Pramanik**

.... Petitioner

Mr. Mritunjoy Chatterjee

... For the Petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... For the State

The petitioner undertakes to 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 since he has been in jail for a considerable period of time, he should be released now.

The State refers to the statement of the victim recorded under Section 164 of the Code. The State says that it appears that the girl is mentally challenged and it makes the petitioner's crime even more heinous.

Considering the statement of the victim, it appears more than likely that the victim may be mentally challenged. However, her statement as to her violation by the petitioner is clear.

Considering such material, the petitioner's prayer for bail is refused.

CRM 7793 of 2020 along with the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)