

CRM 8263 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kumarganj Police Station Case No.10 of 2020 dated 16.01.2020 under Section 4 of Protection of Children from Sexual Offences Act. (Special Case No.4 of 2020) and now charge sheet submitted being Charge Sheet no.51 of 2020 dated 21.03.2020 under Section 5 of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Sonamahan Das @ Sonamon Das @ Sonman Das**
...Petitioner.

Mr. Kaushik Choudhury
...for the petitioner

Ms. Zareen N. Khan
Mr Mirza Firoj Ahmed Begg
...for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours 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 filed, particularly since the medical examination conducted on the alleged survivor reveals no injuries.

The State relies on the clear and categorical statement of the eleven-year-old survivor. There is another statement of a witness recorded under Section 161 of the Code that the State relies on.

It does not appear from either statement that the relevant persons were tutored or may have had any axe to grind against the petitioner herein. In any event, no case of any ulterior motive is made out.

Considering the material against the petitioner, the prayer for bail is rejected.

CRM 8263 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)