

November 10, 2020
srm/ARDR
(Serial No. 75)
Rejected

CRM 8952 of 2020

(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghola Police Station case no. 276 of 2020 dated 14/07/2020 under Section 6 of Protection of Children from Sexual Offences Act, 2012.

In Re : Dilip Das,

... petitioner

Mr. Koustav Bagchi,

.....for the petitioner

Mr. N. P. Agarwalla,

Mr. Goutam Wilson,

....for the State.

The petitioner claims that a dispute with a neighbouring family has resulted in an utterly false allegation being brought against the petitioner.

The State refers to the medical examination conducted on the twelve-year old girl. The State also refers to the statement of the survivor recorded under Section 164 of the Code. The medical report indicates injuries which appear to be in consonance with the statement of the survivor. The Statement appears to be clear and, *prima facie*, it may not be a result of the survivor being tutored.

On the basis of the material available, the prayer for bail is rejected.

CRM 8952 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)