

27.11.2020
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IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 9458 of 2020
Chand Mohammad @ Sk. Rajesh
-vs-
The State of West Bengal

In Re: An application for bail under **Section 439 CrPC** in connection with Uttarpara P.S. Case No. 582 of 2019 dated 12.11.2019 under sections 376 of the IPC read with Sections 6 of POCSO Act.

Mr. Arunava Ganguly
...for the petitioner.

Mr. Rudradipta Nandy
... 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.

The learned Advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the present case, he is an innocent person. Therefore, the petitioner should be enlarged on bail.

The learned Advocate appearing for the State opposes the prayer for bail and produces the case diary. He submits that the petitioner is the step-father of the victim girl and she was raped by the step-father. Therefore, the court should not release the petitioner on bail.

Considering the submission as advanced by the learned Advocate appearing for the parties and after perusing the case diary and the gravity of the offence, we are not inclined to release the petitioner on bail.

As such, the prayer for bail of the petitioner is rejected.

CRM No.9458 of 2020 is disposed of.

[Kausik Chanda J]

[Samapti Chatterjee, J]

