

04-12-2020

Item no.05
Bail rejected
Crt.11
k.b/b.r.

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 9874 of 2020

Jamsed Sk. @ Ali

-vs-

The State of West Bengal

(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Gazole P.S. Case No. 236 of 2020 dated 07.06.2020. POCSO Case No. 60/20 for alleged offence punishable under Section 6 of POCSO Act, 2012.

Mr. Kazi M. Rahman ...for the petitioner.

Mr. Prasun Kumar Datta
Mr. Nirupam Dhali ... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly 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.

Learned advocate for the petitioner submits that the petitioner is in custody for about 180 days and although charge-sheet has been submitted but till date nothing has progressed in the case.

Learned Advocate appearing for the State produces the Case Diary and draws the attention of this Court to the statement of the victim under Section 164 of the Code of Criminal Procedure along with the other materials.

We have perused the materials in the Case Diary and the statement of the victim under Section 164 of the Code of Criminal

Procedure and having regard to the stage of the case and more particularly, the statement of the victim as also the fact that the deposition of the victim is yet to commence, we are of the opinion that this is not a fit case for releasing the petitioner on bail.

With the aforesaid observation, the application for bail, being CRM No. 9874 of 2020 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Tirthankar Ghosh, J.]

[Subrata Talukdar, J.]