

13.01.2021
Court No.28
rpan / 21

C.R.M. 215 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Ratua P.S. Case no.401 of 2018 dated 24.12.2018 under Sections 365/363/34 of the Indian Penal Code read with Section 4 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Ranjit Mondal**

...Petitioner.

Ms. Minoti Gomes,

Mr. Kausik Biswas

....for the petitioner.

Mr. Swapan Banerjee,

Ms. Purnima Ghosh

....for the State.

Ms. Gomes, learned advocate appearing for the petitioner submits that the petitioner is in custody for eleven months and in spite of earlier direction of this Court, there has been no progress in the case before the learned trial court.

Mr. Banerjee, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as also the earlier orders passed by the co-ordinate Benches of this Court.

We have perused the materials on record including the statement of the victim under Section 164 of the Code of Criminal Procedure and the earlier orders passed by this Court. Having regard to both the circumstances, we are of the opinion that there has been no change in circumstances and as such,

the prayer for bail of the petitioner is rejected. However, the learned Special Court is directed to record the deposition of the victim at the earliest by adhering to the provisions of Section 35(1) of the POCSO Act. The petitioner will be at liberty to renew his prayer for bail after evidence of the victim is recorded by the learned trial court.

With the aforesaid observation, the application for bail, being CRM No.215 of 2021, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)