

CRM No.310 of 2021

15.01.21

(S.R.)

Sl.25

Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Howrah Women Police Station Case No.26 of 2017 dated 23.05.2017 under Sections 363/363A/370A of the Indian Penal Code and under Sections 8/12/27 of the Protection of Children from Sexual Offences Act read with Sections 76/84 of the Juvenile Justice (Care and protection of Children) Act, 2015;

And

In re: Nirbhay Kumar @ Nirbhai Kumar @ Nirbhay Kumar Gupta ... petitioner.

Mr. K. Mondal

Mr. K. Ray

Ms. A Chel

Mr. S. Das

Mr. A. Banerjee

... for the petitioner.

Mr. Madhusudan Sur Ld. A.P.P.

Mr. Dipankar Paramanick

...for the State.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner is in custody for about fourteen months. Upon completion of investigation charge sheet has also been filed and as such there is no necessity for further detention of the petitioner.

Mr. Sur, learned advocate appearing for the State submits that the petitioner was absconding for a period of more than two years and there are incriminating materials on record against him.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail being CRM No.310 of 2021 is, accordingly, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

