

CRM No.327 of 2021

21.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Gazole Police Station Case No.236 of
Sl.12 2020 dated 07.06.2020 under Section 6 of the POCSO Act;
Ct.28 And

In re: Jamshed Ali

... petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... for the petitioner.

Mr. P.K. Datta
Mr. S. Deb Roy

...for the State.

The learned advocate appearing for the petitioner submits that there was a love affair between the petitioner and the victim girl and he has been falsely implicated. Upon completion of investigation charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for 225 days, is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary. He further submits that the petitioner is a married person having three children.

Having heard the learned advocates and considering the materials on record, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail at this stage.

However, the learned Special Court is directed to proceed in strict consonance with the provisions of Section 35 of the POCSO Act.

Accordingly, the application for bail being CRM No.327 of 2021, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)