

22.01.2021
Item No.38
Ct.No.28
Subha
rejected

C.R.M. 374 of 2021
(Via Video Conference)

Jadav Dolai @ Jadab Dolai
-versus-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Panskura P.S. Case No. 582 of 2019 dated 13.12.2019 under Sections 363/366/34 of the Indian Penal Code with added Section 376(3) IPC and Ss. 6/17 of the POCSO Act, 2012 and Ss.9/10 of Prohibition of Child Marriage Act(S. C. Case No.47 of 2020).

Mr. Amal Krishna Samanta

... For the Petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... For the State.

Mr. Samanta, learned advocate appearing for the petitioner submits that there was a discrepancy in the statement of the victim and the facts of the case do not inspire confidence. The petitioner is in custody for 315 days and there has been no progress in the trial.

Mr. Ghosh, learned advocate for the State draws the attention of this court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He further submits that vide order dated 2nd December, 2020

passed in CRM 9677 of 2020, the prayer for bail of the present petitioner was rejected for the second time and the present application for bail happens to be the third application for bail before this court.

We have taken into account the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as also the other materials available in the case diary.

Having regard to the nature of allegations, we are not inclined to grant bail to the present petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

With the aforesaid observations, the application being CRM 374 of 2021 is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)