

19.02.2021
Court No.28
rpan /23
(Via Video Conference)

C.R.M. 418 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection Karimpur Police Station Case No.65 of 2020 14.03.2020 under Section 376DB of the Indian Penal Code and under Section 6 of the POCSO Act;

And

In Re : **Bindu Sarkar @ Bindhu Sarkar & Another**
...Petitioners.

Ms. Karabi Roy
....for the petitioners.

Mrs. Sukanya Bhattacharyya,
Mr. Nirupam Dhali
....for the State

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The materials do not disclose direct involvement of the petitioners in the alleged offence. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioners is not required. The petitioner no.1 is in custody for about 10 months and the petitioner no.2 is in custody for about 11 months. She further submits that the complaint was lodged about forty days after the alleged incident and as a counter blast to a previous complaint lodged by the petitioners herein against the family members of the *de facto* / complainant.

Mr. Dhali, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioners in the alleged offence, we are not inclined to grant bail to the petitioners, viz., **Bindu Sarkar @ Bindhu Sarkar** and **Tushar Sarkar**, at this stage.

Accordingly, the application for bail, being CRM 418 of 2021, is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)