

19.02.2021
Item no.28
Court No.28
Avijit Mitra

C.R.M.429 of 2021 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Ranaghat Women Police Station Case No.45 of 2020 dated 20.06.2020 under Section 376(2)(i) of the Indian Penal Code and Section 4 of POCSO Act, 2012;

And

In Re : Sukumar Biswas

.... petitioner

Mr. Anjan Bhattacharya

....for the petitioner

Ms. Zareen N. Khan

Mr. M.F.A. Begg

..... for the State

Mr. Bhattacharya, the learned advocate appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated. On completion of investigation chargesheet has also been filed and as such further detention of the petitioner, who is in custody for about 238 days, is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, injury report and the extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail.

The application for bail being C.R.M. No.429 of 2021 is, accordingly, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)