

24.02.2021

Item No.18

Ct.No.28

dc.

Rejected

C.R.M. 554 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Ayush @ Govind Yadav**

... Petitioner.

Mr. Pratim Das Gupta,
Ms. Sneha Singh,
Ms. Debarati Das

... For the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Cossipore P.S. Case No. 155 of 2020 dated 04.09.2020 (G.R. Case No. 2187 of 2020) under Section 376 of the Indian Penal Code read with Sections 66C/66E of the Information Technology Act, 2000.

The learned advocate appearing for the petitioner submits that the petitioner is innocent. He has been falsely implicated. There was a love affair between the petitioner and the victim girl. On the basis of absurd allegations, the petitioner has been implicated, who is presently a student of B.Com. 1st year. Already the petitioner is in custody for 65

days and in the said conspectus, further detention of the petitioner is not warranted.

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.

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

Accordingly, the application for bail, being CRM 554 of 2021, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)