

15.03.2021
Court No.28
Item No. 30
Krishnendu
Bail Rejected

CRM 794 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Amit Sonkar alias Amit Kr. Sonkar @ Pardoom
Petitioner

Mr. Tapas Kumar Ghosh
Mr. Tanmoy Chowdhury

For the Petitioner

Mr. Saibal Bapuli
Mr. Arijit Ganguly
Mr. Arani Bhattacharya

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Kulti Police Station Case No. 338 of 2020 dated 05.10.2020 under sections 363/366/417/376/341/323/506/34 of the Indian Penal Code, 1860 and sections 4/6 of the Protection of Children from Sexual Offences Act.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner and the victim girl are the neighbours. There was a love affair between them and they had consciously decided to reside together. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody for more than five months, is not warranted. He further submits that the allegations levelled against the petitioner are unfounded and the complaint was lodged about a month after the alleged incident.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioner's prayer for bail and draws our attention to the several documents in the case diary, including the birth certificate of the victim girl

wherefrom it appears that the date of birth of the victim girl is 10th November, 2004.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner at this stage. As such, his prayer for bail is refused.

Accordingly, the application for bail, being CRM No. 794 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)