

18.03.2021
Item No.98
Ct.No.28
Subha
rejected

C.R.M. 870 of 2021
(Via Video Conference)

Sujan Biswas
-vs-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Gazole P. S. Case No. 635 of 2018 dated 21-11-2018 under Sections 363/365/366 of the Indian Penal Code and Section 6 of the POCSO Act(POCSO Case No. 188/2020).

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmik

... For the Petitioner.

Mr. Rana Mukherjee, APP
Ms. Sujata Das

... For the State.

The story to be projected by the petitioner appears to be diametrically opposite to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

It is evident from the materials available from the case diary that the victim is a minor girl and after ascertaining the age subsequently Section 6 of the POCSO Act has been added.

It is submitted that the petitioner is in custody for nearly about 157 days.

Considering the nature and gravity of the offence as well as the complicity of the present petitioner in the alleged offence, we do not think that this is a fit case to release the present petitioner on bail and as such, the prayer for bail of the petitioner is rejected.

With the aforesaid observations, the application for bail being CRM 870 of 2021, is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)