

24.03.2021

Item No.120

Ct.No.28

dc.

Rejected

C.R.M. 1235 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Amta P.S. Case No. 281 of 2020 dated 26.09.2020 under Section 376(AB) of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 and added Section 376 (2)(f)(n) of the Indian Penal Code.

And

In Re : **Kartick Roy**

... Petitioner.

Ms. Priyanka Saha

... For the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De

... For the State.

This is an application for bail in connection with Amta P.S. Case No. 281 of 2020 dated 26.09.2020 under Section 376(AB) of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 and added Section 376 (2)(f)(n) of the Indian Penal Code at the behest of the petitioner.

The learned advocate for the petitioner submits that the petitioner is in custody for about 179 days and as the investigation has already been concluded, further detention of the petitioner is unwarranted.

The learned advocate for the State produces the case diary and draws the attention of this Court to the medical documents.

We have perused the case diary and we find that the victim is aged four years and there are incriminating materials allegedly exposing the complicity of the present petitioner in the connected offence. Having regard to the gravity of the offence, we are not inclined to release the petitioner on bail. As such, the petitioner's prayer for bail is **rejected**.

The application for bail, being CRM 1235 of 2021, is, thus, dismissed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)