

25.03.2021

Item No.140

Ct.No.28

dc.

Rejected

C.R.M. 1384 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 : **Deb Kumar Bag**

... Petitioner.

Ms. Koel Sarkar

... For the Petitioner.

Mr. S. G. Mukherjee, Id. P.P.,

Mr. Partha Pratim Das,

Ms. Manasi Roy

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Singur P.S. Case No. 248 of 2020 dated 03.11.2020 under Section 376(3) of the Indian Penal Code and Section 4(2) of POCSO Act.

The learned advocate appearing for the petitioner submits that the petitioner is a student and he has been falsely implicated. The allegations levelled against him are absolutely unfounded. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for about 142 days, is not necessary.

Mr. Das, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to

the medical report and the statement of the victim girl as recorded under Section 164 of the Code.

Having heard the learned advocates 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. As such, the petitioner's prayer for bail is **rejected** at this stage.

The application for bail, being CRM 1384 of 2021, is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)