

06.04.2021.
Item No.133
(Rejected)

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C.R.M. 1439 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.02.2021 in connection with Haripal P.S. Case No. 245 of 2020 dated 19.09.2020 (G.R. Case No. 864 of 2020) under Sections 342/365/366/376(2)(n)/384/295A/298/506/509/120B of the Indian Penal Code read with Section 8 of POCSO Act;

And

In the matter of : **Anggur Sk @ Angur Sk.**

... petitioner.

Mr. Joy Chakraborty.

...For the petitioner.

Mr. N. Ahmed, Ld. APP,
Ms. Anita Gaur.

...For the State.

The Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

This is an application for bail in connection with Haripal Police Station Case No. 245 of 2020 under Sections 342/365/366/376(2)(n)/384/295A/298/506/509/120B of the Indian Penal Code read with Section 8 of POCSO Act at the behest of the petitioner.

The petitioner seeks parity with the other co-accused, who have been enlarged on bail. The petitioner says that he is unnecessarily languishing in jail having not committed the offence as inflicted against him.

We perused the statement of both the victim girls and the other materials available from the case diary, we find that the petitioner is the principal accused and, therefore, does not stand on the same pedestal that of the other co-accused, who have been allegedly granted bail. There is a direct allegation against the petitioner and his complicity to the offence cannot be ruled out at this stage.

Accordingly, the application for bail being CRM 1439 of 2021 is **rejected**.

Since the case has reached the stage of trial, learned Judge is requested to expedite the same.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)