

09.04.2021
Item no.147
Court No.28
Avijit Mitra

C.R.M. 1573 of 2021 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Belda Police Station Case No.219 of 2020 dated 28.09.2020 under Sections 376(2)(n)/376(3)/506 of the Indian Penal Code, Section 6 of Protection of Children from Sexual Offences Act and Sections 67/67A of Information Technology Act, 2000;
And

In Re : Suresh Pattanayek

.... Petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick
...for the petitioner
Mr. Madhusudan Sur,
Mr. Manoranjan Mahata
...for the State

Learned counsel appearing for the petitioner submits that the petitioner is innocent and there is a love relationship between the petitioner and the victim. It is submitted that the petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and has drawn our attention to the statement of the victim recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials and the incriminating materials available against the petitioner as well as the statement of the victim under Sections 164 of the Code of Criminal Procedure, we are not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

The application being C.R.M. No.1573 of 2021 is disposed of.

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

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)