

22.04.2021
Court No.28
Item No. 05
Krishnendu
Rejected

CRM 1686 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in Court on 9th February, 2021 in connection with Bhadreswar Police Station Case No. 201 of 2020 dated 11.08.2020 under section 376 of the Indian Penal Code read with section 4 of POCSO Act, 2012 ;

And

In Re : Rabi Das

Petitioner

Mr. Arunava Ganguly

For the Petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

For the State

Mr. Ganguly, learned advocate appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated. The allegations levelled against him are unfounded. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody since 11th August, 2020, is not warranted in the facts and circumstances of the case.

The learned advocate appearing for the State opposes the petitioner's prayer for bail and draws our attention to the statement of the victim girl as recorded under section 164 of the Code of Criminal Procedure and the medical report.

We have perused the materials-on-record and, *prima facie*, there are materials as regards involvement of the petitioner in the alleged offence. Considering the gravity of the offence and the extent of complicity, we are not inclined to exercise any discretion in favour of the petitioner and, as such, his prayer for bail is refused at this stage.

The petitioner would be at liberty to approach this Court after the evidence of the victim girl is over.

The application for bail, being CRM No. 1686 of 2021, is, accordingly, dismissed.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)