

21.04.2021
Court No.28
Item No. 25
Krishnendu
Bail Rejected

CRM 1770 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Dholahat Police Station Case No. 56 of 2019 dated 01.03.2019 under sections 363/365/366 of the Indian Penal Code read with section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : Sukanta Mondal

Petitioner

Mr. Mrityunjoy Chatterjee

For the Petitioner

Mr. Rana Mukherjee

Mrs. Sujata Das

For the State

The learned advocate for the petitioner submits that the petitioner is in custody since 4th March, 2019 and till date charge has not been framed.

The learned advocate for the State opposes the petitioner's prayer for bail and draws the attention of this Court to the order dated 14th January, 2021 wherefrom it reflects that date has been fixed for recording of evidence of CSW 1.

None of the parties are in a position to apprise the Court regarding the latest development in the case.

Having regard to the fact that charge has already been framed and evidence of the case is in progress and the complicity of the present petitioner, as is reflected in the order dated 27th November, 2019 passed in CRM 11086 of 2019, we are of the opinion that this is not a fit case for releasing the petitioner on bail at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

However, the learned trial court is directed to adhere to the provisions of section 35 of the POCSO Act.

The application for bail, being CRM No. 1770 of 2021, is 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.)