

CRM No.1825 of 2021

27.04.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Chakdah Police Station Case No.267
Sl.131 of 2020 dated 18.09.2020 under Section 376(3) of the Indian Penal
Ct.28 Code read with Section 4 of the POCSO Act;

And

In re: Jahar Ali Mondal @ Jhar

... petitioner.

Mr. Shibaji Kumar Das

... for the petitioner.

Mr. Zareen N. Khan

Ms. Sreeparna Das

...for the State.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated. He is languishing in custody for more than 200 days and there had been no progress in the trial. In view thereof, further detention of the petitioner is not warranted.

Learned advocate appearing for the State opposes the petitioner's prayer and submits that earlier the petitioner's application for bail being CRM No.8825 of 2020 was rejected by a coordinate bench of this Court on 5th November, 2020 and draws our attention to the several documents in the case diary including 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 complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner and as such, his prayer for bail is rejected at this stage.

Accordingly, the application for bail being CRM No.1825 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.)