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Ct. 30

CRM 2355 of 2021

(Via Video Conference)

In the matter of: an application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 271 of 2020 dated 14.07.2020 under Section 08 of the Protection of Children from Sexual Offences Act.

And

In Re: Ganesh Biswas

Petitioner.

Mr. S. M. Obaidullah

Mr. N. K. Roy

.....For the Petitioner.

Ms. Zareen Khan

Ms. Sreeparna Das

... for the State.

This is renewal of prayer for bail on behalf of the accused /petitioner against whom charge sheet has been filed under Section 8 of the POCSO Act.

It is submitted by the learned advocate for the petitioner that the petitioner is in custody for 233 days. The alleged incident took place on 11th July, 2020, FIR was lodged on 14th July, 2020, the accused was arrested on 15th July, 2020 and since then he is in custody. As the charge sheet has been submitted under Section 8 of the POCSO Act which is a penal provision for sexual assault, the accused should be released on bail.

Learned P.P.-in-Charge has raised objection against the prayer for bail. I have carefully perused the case diary.

Previously, the prayer for bail was rejected by this Court on 18th December, 2020. No circumstantial change has occurred in favour of the petitioner which deserves granting of bail to the accused/petitioner.

In view of such circumstances, prayer for bail is considered and refused. The instant application is rejected. C.D. be returned.

(Bibek Chaudhuri, J.)