

25.06.2021.
Item No.24
(Rejected)
ab/saswata

C.R.M. 2363 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.03.2021 in connection with Tarakeswar Police Station case no.187 of 2020 dated 05.12.2020 under Sections 363/365 of the Indian Penal Code;

And

In the matter of : **Rabi Sankar Jana**

... petitioner.

Mr. Suman Chakraborty

...For the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP

Ms. Faria Hossain

Ms. Baishali Basu

... For the State

This is an application for bail in connection with Tarakeswar Police Station case no.187 of 2020 under Sections 363/365 of the Indian Penal Code at the behest of the petitioner.

The learned Advocate for the petitioner submits that the petitioner has a love affair with the victim girl, who eloped with him after taking the ATM card of her mother and withdrew a considerable amount of money, i.e., Rs.65,000/-. He, thus, submits that he is in custody since last 185 days and since the charge-sheet has already been submitted, no further custodial interrogation of the petitioner is required.

The learned Advocate for the State opposes the prayer for bail. She submits that the petitioner is already married and have a child and the story of the love affair has been cooked up to get away with the punishment that would be inflicted upon him after the full-fledged trial.

After hearing the respective submissions and on perusal of the materials on record including the statement of the victim minor girl recorded under Section 164 of the Code of Criminal Procedure, we do not find that it is a fit case

where the petitioner should be enlarged on bail even after the submission of charge-sheet.

Accordingly, the application for bail being CRM 2363 of 2021 is **rejected**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)