

16.07.2021

Court No.28
Item No.16

Saswata

CRM 2447 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 05.03.2021 in connection with Panskura Police Station Case No. 582 of 2019 dated 13.12.2019 under Sections 363/366/34 of the Indian Penal Code and added Section 376(3) of the Indian Penal Code and Sections 6/17 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act;

And

In the matter of : **Jadav Dolai @ Jadab Dolai**
...Petitioner

Mr. Amal Krishna Samanta

...For the Petitioner

Mr. N.Ahmed, Ld. APP

Ms. Zareen N. Khan

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Panskura Police Station Case No. 582 of 2019 under Sections 363/366/34 of the Indian Penal Code and added Section 376(3) of the Indian Penal Code and Sections 6/17 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act.

This is the fourth round of litigation before this Court at the instance of the petitioner. The earlier three applications for bail were rejected by this Court, last of which was on 22nd January 2021. There has been a uniform findings recorded in all the earlier applications that the petitioner was indulged in kidnapping a minor girl of 15 years of age and committing forcible sexual intercourse. He is in custody for nearly 526 days. Even if the charge-sheet was filed on 29th February 2020 but the subsequent applications were rejected.

Considering the gravity of the offence, we do not think that

there is any changed circumstances, warranting the different decision to be taken.

The prayer for bail of the petitioner is considered and ***rejected***

(Harish Tandon, J)

(Subhasis Dasgupta,J.)