

26.07.2021
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rejected

C.R.M. 2534 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 793 of 2019 dated 29.10.2019 under Section 4 of the POCSO Act.

And

In Re : Entaj Ali @ Intajul Ali @ Entajul petitioner

Mr. Kallol Mondal
Mr. Musharraf Alam Sk
Mr. Krishan Ray
Ms. Amrita Chel
Mr. Souvik Das
Mr. Anamitra Banerjee
... for the petitioner

Mr. T. K. Ghosh
Mr. Arindam Sen
... for the State

The allegation is that the petitioner ravished the survivor, who was 17 years old at the time of the incident, at night when the survivor went to answer nature's call.

The charge is under Section 4 of the POCSO Act.

It is submitted by the learned Counsel appearing for the petitioner that the petitioner is in custody for 338 days. It is also submitted that the medical report is not in consonance with the allegations made.

Learned Counsel appearing for the State has produced the case diary.

We have gone through the material in the case diary. We have seen the statement of the survivor girl recorded under Section 164 of the Code of Criminal Procedure.

On an overall consideration of the material on record and considering the possibility of the petitioner committing the offence and the nature and gravity of the offence, we are not inclined to allow this application for bail at this stage.

Accordingly, the application for bail being CRM 2534 of 2021 is rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

