

03.06.2021
Item no.41
Court No.28
Avijit Mitra

C.R.M. 3317 of 2021 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Sabir Molla alias Sabiruddin Molla alias Sabbir
.... Petitioner

Mr. Angshuman Chakraborty
.....for the petitioner

Mr. Saibal Bapuli,
Mr. Arijit Ganguly,
Mr. Suman De
..... for the State

The present application has been preferred in connection with Dholahat Police Station Case No.224 of 2019 dated 2.7.2019 under Sections 363/365 of the Indian Penal Code subsequently added sections 363/365/370/370A of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offence Act, 2012.

Mr. Chakraborty, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against the petitioner are unfounded. Upon completion of investigation chargesheet has also been filed and as such further detention of the petitioner, who is in custody since 5th June, 2020, is not warranted in the facts and circumstances of the present case.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the

statement of the victim as recorded under Section 164 of the Code and the medical documents.

Heard the learned advocates appearing for the respective parties and perused the materials in the case diary.

Prima facie, there are materials which clearly reveal the involvement of the petitioner in the alleged offence. Considering the gravity of the offence and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in favour of the petitioner. As such, the prayer for bail of the petitioner is refused at this stage.

Accordingly, the application for bail being CRM No.3317 of 2021, is dismissed.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)