

25 07.06.2021
S.K/ Ct. No.28
S.M

C.R.M. 3645 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **28/04/2021** in connection with Daspur P.S. Case No. **332 of 2020** dated **03/09/2020** under Sections 363/365/34 of the Indian Penal Code and adding Section 4 of the Protection of Children from Sexual Offences Act.

And

In the matter of: Bapi Sing @ Pradip Singh

....petitioner.

Mr. Suman De

...for the petitioner.

Mr. S. S. Imam,
Mr. N. P. Agarwala,
Mr. Subrata Roy

...for the State.

The application for anticipatory bail has been filed in respect of Daspur Police Station Case No. 332 of 2020 dated 03.09.2020 under Sections 363/365 read with Section 34 of the Indian Penal Code giving rise to POCSO Case No. 36 of 2020 corresponding to G.R. No. 758 of 2020.

Counsel for the petitioner submits since the charge-sheet in the instant case has been submitted on 29.04.2021, there is no need for detention of the petitioner. It is further submitted that the statements made by the victim girl under Section 164 CrPC does not indicate the complicity of the petitioner in the offence.

Having considered the charge-sheet in detail and the statements of the witnesses and of the victim girl and also the fact that the main accused is absconding, this court is not inclined to entertain the application under Section 438 CrPC.

Hence, C.R.M. 3645 of 2021 stands dismissed.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)