

09-08-2021
Bpg/Subha
Item no.41
(Rejected)

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 4144 of 2021

Surajit Pramanick @ Surajit Pramanik @ Nepal
-vs-
The State of West Bengal
(Via video-conference)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.06.2021 in connection with Taherpur Police Station Case No. 157 of 2020 dated 28.09.2020 under Sections 376/417/366 of the of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

Mr. Surajit Basu,
Mr. Somnath Majumder.

... for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha,
Mr. Subham Bhakat.

...for the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The earlier application for bail being CRM No.887 of 2021 filed by the petitioner was rejected on 19.03.2021.

This is second round of litigation before this Court. The earlier application for bail was rejected by this Court on the basis of the statement of minor victim girl who is mentally retarded recorded under Section 164 of Cr.P.C. The complicity of the petitioner to alleged offence cannot be ruled out at this stage. Furthermore, the next date is fixed on 13th August, 2021 for framing charges.

Since we do not find any material justifying the release of the petitioner on bail, the prayer for bail is rejected at this stage. However, we request the learned Judge, Special Court to take up the matter on the date so fixed and thereafter shall expedite the trial.

The co-operation from the defence is expected so that there is no unreasonable delay in disposal of the case.

The application for bail being CRM 4144 of 2021 is, thus, disposed of.

(Harish Tandon, J)

(Bibek Chaudhuri, J)

