

23.08.2021

Court No.28
Item No.32
(REJECTED)

Ab

CRM 4211 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 21.06.2021 in connection with Amta Police Station Case No. 206 of 2020 dated 16.07.2020 under Section 376(3) of the Indian Penal Code read with Sections 4/6 of the Protection of Children from Sexual Offences Act;

And

In the matter of : **Bappa Roy.**

...Petitioner.

Mr. Anindya Ghosh.

...For the Petitioner

Ms. Zareen N. Khan,
Mr. Aniket Mitra.

... 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 petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Amta Police Station Case No. 206 of 2020 dated 16.07.2020 under Section 376(3) of the Indian Penal Code read with Sections 4/6 of the Protection of Children from Sexual Offences Act.

A minor girl was ravished and, subsequently, became the mother of a child as a result of such penetrative sexual assault.

Learned Advocate for the petitioner has prayed for bail on the ground of long detention of the petitioner, submission of charge-sheet and initiation of trial.

Learned Public Prosecutor has raised serious objection against the prayer for bail.

It appears from the record that on 17th November 2020, the prayer for bail of the petitioner was rejected by a Co-ordinate Bench in CRM 7737 of 2020.

We have perused the case diary, specially the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure and her medical examination report. The specific act committed by the petitioner does not inspire us to grant bail in this case.

The application for bail being CRM 4211 of 2021 is **rejected**.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)