

23.09.2021
Item no. 92
Court No.32.
S.De.
(Rejected)

(Via Video Conference)

CRM 4720 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.07.2021 in connection with Tehatta Police Station Case No. 332 of 2020 dated 14.08.2020 under Sections 363/376/DA of the Indian Penal Code and Section 6 POCSO Act.

And

In the matter of : Suman Majumder and Another.

.....Petitioners.

Mr. Amanul Islam, Advocate,
Mr. Sourav Mukherjee, Advocate,

.....for the Petitioners.

Mr. Bidyut Kumar Ray, Ld. A.P.P.,
Ms. Rita Dutta, Advocate,

.....for the State.

The allegation against the petitioners is of kidnapping and raping the victim girl who was 13 years of age at the time of the incident.

The petitioners say that they have been falsely implicated. They are not involved in the alleged incident at all.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. She vividly describes the incident. She specifically names the petitioners as being the offenders. The Medical Report corroborates the version of the victim girl.

Considering the nature and gravity of the charge and prima facie incriminating material on record against these petitioners, although charge sheet has been submitted and the petitioners are in custody for about 404 days, we are not inclined to allow the petitioners' prayer for bail.

CRM 4720 of 2021 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)