

09.11.2021
Serial no. 3
Aloke
Ct. No. 29

(Through Video Conference)

CRM 5101 of 2021

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 02.08.2021 in connection with Berhampore Women P.S. Case No. 82 of 2018 dated 17.12.2018 under Sections 4/5(I)(n)(j)(ii)/6 of the POCSO Act.

-And-

**In the matter of: Sankar Mondal @ Shankar Mondal
... Petitioner**

Mr. Kingshuk Mondal, Advocate

... ... For the Petitioner

Mr. Swapan Banerjee, Advocate

Mr. Suman De, Advocate

... ...For the State

Petitioner renews his prayer for bail.

Learned advocate appearing for the petitioner submits that there is dichotomy in the statement recorded under Section 164 of the Criminal Procedure Code and the evidence presently led.

Learned Advocate appearing on behalf of the State opposes the prayer for grant of bail. The order of rejection of bail is dated January 15, 2020. There is hardly any change in circumstances subsequent thereto to grant bail to the petitioner as prayed for. The alleged dichotomy that the petitioner seeks to highlight should be considered at the trial.

CRM 5101 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)