

29.11.2021
Sl No.10
Ct. No.32
s.biswas

CRM 5316 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **65/2021** dated **31.03.2021** under Sections **4/6** of the POCSO Act.

And

In Re: **Bhupen Swarnakar**

... .. Petitioner

Mr. Manas Kumar Das,
Mr. Asraf Mondal, Advocates

... for the petitioner

Mr. P. K. Datta,
Mr. Santanu Deb Roy, Advocates

... .. for the State

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and he is more than 75 years old and as such there is no likelihood that he would flee from justice. Upon conclusion of the investigation, charge-sheet has been submitted and as such further the detention of the petitioner, who is in custody for about 236 days, is not necessary.

Learned advocate appearing for the State opposes the prayer for bail and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, including the statement of the victim girl, as recorded under Section 164 of the Cr.P.C., the medical report, the extent of complicity of the petitioner in the alleged offence and the gravity of the offence, we are not inclined to exercise discretion in his favour. As such the prayer for bail is rejected at this stage.

Accordingly, the application for bail being C.R.M. 5316 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)