

17.09.2021
Serial no. 01
Dd

(Through Video Conference)

CRM 5625 of 2021

In re : An Application for Bail under Section **439** of the Code of Criminal Procedure filed on **23.08.2021** in connection with Special **POCSO Case No. 41 of 2018** corresponding to Special S.T. Case no. 20(3) of 2019 arising out of **Frezerganj Coastal** Police Station Case No.**78** of **2018** dated **15.10.2018** under **Section 6** of the Protection of Children from Sexual Offences Act read with Section 376(2)(i) of the Indian Penal Code.

-And-

In the matter of : Ananda Das

...Petitioner

Mr. Mritunjoy Chatterjee,
Ms. Debapriya Majumder, advocates
... .. For the Petitioner
Md. Anwar Hossain
Ms. Sreyashee Biswas, advocates
... ..For the State

Petitioner renews the prayer for grant of bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for a period in excess of a year. No witness was examined at the trial due to expiry of the Public Prosecutor. He submits that today a new Public Prosecutor stands appointed before the trial court. However, no witness was examined.

State is represented.

In the facts of the present case, we find no material change in the circumstances warranting grant of bail to the petitioner. The Public Prosecutor stands appointed. Witnesses in the interregnum could not be examined due to expiry of the Public Prosecutor.

We are not inclined to grant bail to the petitioner.

CRM 5625 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)