

CRM No.7610 of 2021

**Via video conference**

13.12.21

(S.R.)

Sl.13

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Kakdwip** Police Station Case No.82 of 2021 dated 16.03.2021 under Section 376(3) of the Indian Penal Code and Section 6 of the POCSO Act;

And

**In re: Mithun Mondal**

**... petitioner.**

Mr. Partha Sarathi Mondal

... for the petitioner.

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

... for the State.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner is an aged person and he has been falsely implicated. The allegations are absolutely unfounded. Upon completion of investigation charge sheet has also been submitted and as such, further detention of the petitioner, who is already in custody for 9 months, is not warranted.

Mr. Roy, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim girl, as recorded under Section 164 of the Code and the injury report.

Having heard the learned advocates appearing for respective parties and considering the materials in the case diary, including the statement of the victim girl, the medical reports, the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is rejected at this stage.

Accordingly, the application for bail being CRM No.7610 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.)**