

02-12-2021

Item no.418

Subrata

rejected

IN THE HIGH COURT AT CALCUTTA

Criminal Miscellaneous Jurisdiction

CRM No.7696 of 2021

Sk. Siraj & Ors.

-vs-

The State of State of West Bengal

In Re: Application under **section 439 CrPC** in connection with S.T. (Spl.) Case No.13 of 2020 [S.C. (Spl) Case No.13 of 2020] arising out of Gurap P. S. Case No. 73 of 2020 dated July 8, 2020 under sections 341/366A/376DA IPC read with section 6 POCSO Act and section 3(1)(w)(i) Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989

Mr. Milon Mukherjee

Mr. Biswajit Manna

...for the petitioners

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

... for the State

The four petitioners seek bail.

Learned senior advocate Mr Mukherjee submits that the first and the second petitioners renew the prayer for bail while the third and the fourth seek bail for the first time. He draws the attention of this court to the medical report and also the evidence of PW1. He also submits that there is dichotomy between the evidence in court and the medical documents. He highlights the period of detention of the petitioners – since July 8, 2020. In such circumstances, he prays for bail to the petitioners.

Learned advocate for the State draws the attention of this court to the medical report of the victim.

Considering the gravity of the offences and the involvement of the petitioners as transpires from the materials in the case diary produced before us, including the evidences of the PW1, we are not inclined to grant the petitioners bail.

Consequently, CRM No.7696 of 2021 is dismissed.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]