

20.12.2021
Court No.32
Item No. 12
Avijit Mitra

C.R.M. 7763 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure;

And

In Re : Maqsood Chisi @ Kabir

Petitioner

Mr. Indrakant Jha

..For the Petitioner

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen

...For the State

The present application for bail under Section 439 of the Code of Criminal Procedure has been preferred in connection with Eco Park Police Station Case No.193 of 2021 dated 31.07.2021 under Sections 4 & 6 POCSO Act.

Mr. Jha, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged incident. No overt act has been attributed to the petitioner and upon completion of investigation chargesheet has also been submitted. In view thereof, further detention of the petitioner, who is in custody for 145 days, is not warranted.

Mr. Sen, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents including the statement of the victim as recorded under Section 164 of the Code and the medical report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary,

the gravity of the offence, its ramification and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused at this stage.

Accordingly, the application for bail, being CRM No. 7763 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)