

23.12.2021

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sdas
rejected

CRA 228 of 2020
(CRAN 1 of 2021)
(via video conferencing)

In Re : An application under Section 389 of the Code of Criminal Procedure.

And

In Re : Ganesh Das appellant

Mr. Ayan Bhattacharya
Mr. Avik Ghatak
Ms. Afreen Begum

..... for the appellant

Mr. Saibal Bapuli, learned APP
Mr. Bibaswan Bhattacharyya

..... for the State

Learned Counsel appearing for the appellant prays for suspension of sentence.

Learned Counsel appearing for the State opposes the prayer for suspension of sentence and submits that the victim who was aged around nine years was sexually assaulted by the appellant.

We have considered evidence of the victim which receives corroboration from other evidence on record.

In view of the aforesaid fact and the gravity of the offence, we are not inclined to suspend the sentence of the appellant.

Accordingly, the application being CRAN 1 of 2021 is rejected.

Paper books be prepared within eight weeks from the date of receipt of lower court records.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)