CRM No.8559 of 2020

19.01.21
(S.R.)
Sl.38
Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Asansol (South) Police Station Case No.172 of 2020 dated 14.06.2020 under Sections 376(2)(i)/313/109/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act;

And

In re: Subhankar Rajak ... petitioner.

Mr. Sajal Kr. Ghosh ... for the petitioner.

Mr. Rana Mukherjee
Ms. Sujata Das ...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation charge sheet has also been filed on 6th August, 2020. In view thereof, further detention of the petitioner, who is in custody for more than 215 days, is not required.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the 164 statement of the victim girl, we are not inclined to grant bail to the petitioner at this stage.

However, the learned Special Court is directed to take expeditious steps in consonance with the provisions of Section 35 of the POCSO Act.

Accordingly, the application for bail being CRM No.8559 of 2020 is disposed of.

(Tirthankar Ghosh, J.) **(Tapabrata Chakraborty, J.)**