

29.01.2021
Court No.28
Item No. 08
Krishnendu
Bail Rejected

**CRM 9290 of 2020
(Via video Conference)**

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

And

In Re : Biswajit Ghosh

Petitioner

Mr. Atis Biswas

Mr. Amit Singh

For the Petitioner

Mr. Aniket Mitra

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Murutia Police Station Case No. 53 of 2020 dated 24.03.2020 under sections 498A/304B/34 of the Indian Penal Code, section 9 of Prohibition of Child Marriage Act and section 4 of Protection of Children from Sexual Offences Act.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged offence on the basis of a complaint lodged about fourteen months after the marriage. There is no incriminating material on record against the petitioner. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody for 307 days, is not required.

The learned advocate appearing for the State opposes the petitioner's prayer for bail 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 gravity of the offence and the extent of complicity of the petitioner in the same, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the application for bail, being CRM No. 9290 of 2020, is dismissed.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)