

04.01.2021

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Sws M
Ct. No.05

Rejected

CRM 10742 of 2020

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Md. Bazar Police Station Case No. 116 of 2020 dated 03.07.2020 under Sections 450/376(2)(a)/506 of Indian Penal Code with adding Section 4(1)/6/8/10/12 POCSO Act.

And

In the matter of : **Patit Paban Bagdi Alias Balai Bagdi**

..... Petitioner

Mr. Ritam Chowdhury

.... for the Petitioner

Mr. Binay Panda

Ms. Puspita Saha

...for the State.

Mr. Chowdhury, learned Counsel, appears in support of the application and prays for bail. It is submitted that the petitioner is in custody for over 150 days and the allegations in the case, being Md. Bazar Police Station Case No. 116 of 2020 dated 3rd July, 2020 under Sections 450/376(2)(a)/506 of the Indian Penal Code read with Sections 4(1)/6/8/10/12 of the POCSO Act are only the outcome of a love affair between the victim girl (VG) and the petitioner.

Ms. Saha, learned State Counsel, resists the prayer for bail by heavily relying on the statements of the VG under Section 164 of the Cr.P.C. It is submitted that the statements clearly implicate the petitioner *qua* the alleged offences and moreover, the VG is pregnant with a child.

Having considered the rival submissions as well as the materials placed and, considering the weight of the evidence tendered by the VG before the learned Magistrate, the prayer for bail stands rejected.

CRM 10742 of 2020 stands thus **disposed of**.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)