

27.05.2021
Court No.28
Item No. 07
Krishnendu
Rejected

CRM 10781 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Samir Debnath**

Petitioner

Mr. Supratik Syamal

For the Petitioner

Mr. Neguive Ahmed

Md. Anowar Hossain

Mr. Pradipta Ganguly

For the State

Leave is granted to the learned advocate for the petitioner to amend the cause title and prayer portion of the application.

Apprehending arrest in connection with Ghola P.S. Case No. 516 of 2020 dated 29.11.2020 under section 354A of the Indian Penal Code and sections 8 and 12 of POCSO Act, 2012, the petitioner has filed the present application.

Mr. Syamal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against him are unfounded and in view thereof, custodial detention/interrogation is not necessary

Mr. Ahmed, learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to several documents in the case diary, including the statement of the victim girl recorded under section 164 of the Code of Criminal Procedure. He further submits that the victim girl is presently 11 years of age.

Having heard the learned advocates appearing for the respective parties 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 exercise any discretion in favour of the petitioner. As such, the prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being CRM 10781 of 2020 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)