

22.01.2021
Court No.28
Item No. 05
Krishnendu
Bail Rejected

**CRM 10782 of 2020
(Via video Conference)**

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

And

In Re : Sushanta Basu @ Bose

Petitioner

Mr. Jayanta Narayan Chatterjee

Mr. Nazir Ahmed

Mr. S. Naskar

Ms. Jayashree Patra

Ms. Chandrima Roy

For the Petitioner

Mr. Rudradipta Nandy

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Nakashipara Police Station Case No. 505 of 2020 dated 07.10.2020 under section 376AB of the Indian Penal Code read with section 4 of the Protection of Children from Sexual Offences Act, 2012.

The learned advocate appearing for the petitioner submits that the petitioner is a respected tutor in the concerned area. He has been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody for 107 days, is not necessary,

The learned advocate appearing for the State opposes the prayer for bail and submits that the victim girl was aged about

12 years. He draws our attention to several documents in the case diary, including the statements of the victim girl and her mother recorded under section 164 of the Code of Criminal Procedure.

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 alleged offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the application for bail, being CRM No. 10782 of 2020, is dismissed.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)