

CRM No.10793 of 2020

20.01.21 In re: An application for bail under Section 439 of the Code of
(S.R.) Criminal Procedure filed in connection with Raninagar Police Station
Sl.39 Case No.381 of 2020 dated 07.10.2020 under Sections 417/376 of
Ct.28 the Indian Penal Code and subsequently charge sheeted under
Sections 417/376/120B of the Indian Penal Code read with Section 6
of the POCSO Act;

And

In re: **Alim Sk**

... petitioner.

Mr. Mrityunjoy Chatterjee
Md. G.N. Imrohi
Mr. S. Bhattacharyya
Mr. S. Chakraborty

... for the petitioner.

Mr. Bidyut Kr. Roy
Ms. Rita Dutta

...for the State.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings and a co-accused has already been granted anticipatory bail by a Coordinate Bench of this Court. Upon completion of investigation charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for 103 days, is not necessary.

Mr. Roy, learned advocate appearing for the State opposes the petitioner's prayer.

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.

The prayer for bail of the petitioner is rejected.

However, the learned Special Court is directed to proceed in strict consonance with the provisions of Section 35 of the POCSO Act.

The application being CRM No.10793 of 2020 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

