

CRM No.10795 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 Bizpore Police Station
Sl.41 Case No.205 of 2019 dated 22.04.2019 under Section 6 of the POCSO
Ct.28 Act;

And

In re: Prabhu Pandit

... petitioner.

Mr. Debasish Kar

Mr. Husen Mustafi

... for the petitioner.

Md. Anwar Hossain

Ms. Sreyashee Biswas

...for the State.

Mr. Kar, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings. Upon completion of investigation charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for more than one year eight months, is not necessary.

Mr. Hossain, 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 gravity of the offence and 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.10795 of 2020 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

