

20.01.2021
Item No.67
Ct.No.28
Subha
rejected

C.R.M. 10852 of 2020
(Via Video Conference)

Dilip Banik
-versus-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Tehatta P.S. Case No. 239 of 2020 dated 23-06-2020 under Section 376AB of the Indian Penal Code and 4/6 of the Protection of Children from Sexual Offences Act, (POCSO Case No. 12/2020).

Mr. Manas Kumra Das
Mr. Asraf Mondal

... For the Petitioner.

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen

... For the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the instant criminal proceedings. On completion of investigation, charge-sheet has also been submitted and as such, further detention of the petitioner, who is in custody for about 133 days, is not necessary.

Learned advocate for the State opposes the prayer for bail of the petitioner and produces the case diary.

Having heard the learned advocates and considering the materials available in the case diary, the statement of the victim girl as recorded under Section 164 of the Code of Criminal

Procedure and the gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

The application being CRM 10852 of 2020, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)