

11.02.2021
Court No.28
rpan /03
(Via Video Conference)

C.R.M. 10881 of 2020

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection Newtown P.S. Case No.487 of 2019 dated 20.11.2019 under Sections 4/8 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Sanjay Thakur**

...Petitioner.

Mr. Sekhar Kumar Basu,
Mr. Ranadeb Sengupta,
Mr. Sachit Talukdar
....for the petitioner.

Mr. Binay Kumar Panda,
Ms. Puspita Saha
....for the State

Mr. Basu, learned senior advocate appearing for the petitioner submits that the victim girl was involved in an affair with a local boy namely Manoj Garai for the last couple of months. When such fact came to the notice of the petitioner, he raised vehement objection and in the backdrop of such sequence, the petitioner, who happens to be the father of the victim girl, was falsely implicated. In support of his argument, Mr. Basu has drawn our attention to the documents annexed to the present application. He further submits that upon completion of investigation, charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for fourteen months, is not necessary.

Mr. Panda learned advocate appearing for the State opposes the petitioner's prayer and submits that there are

materials on record which clearly reveal the nexus of the petitioner with the alleged offence.

By an earlier order dated 4th February, 2021, we directed the Investigating Officer to be personally present today. Pursuant thereto, the Investigating Officer is present and a report prepared by her has been placed. Let the same be kept on record.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure and the medical reports of the petitioner and the victim girl, we are not inclined to exercise any discretion in favour of the petitioner. The petitioner's prayer for bail stands rejected.

The application for bail, being CRM 10881 of 2020, is, accordingly, dismissed.

The personal appearance of the Investigating Officer is dispensed with.

(Tirthankar Ghosh, J.)

(Tapabrata

Chakraborty, J.)