

27.01.2021
Item no.25
Court No.28
Avijit Mitra

C.R.M.10932 of 2020 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Sonarpur Police Station Case No.215 of 2017 dated February 06, 2017 under Sections 302/376A of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012;

And

In Re : Amit Roy @ Amit Ray @ Chattu
.... petitioner

Mr. Bibhaswan Bhattacharjee,
Mr. Arani Bhattacharya
....for the petitioner

Mr. Rana Mukherjee,
Ms. Sujata Das
..... for the State

The learned advocate appearing for the petitioner submits that the petitioner is in custody for about 1452 days. The delay towards conclusion of trial is attributable to the respondents and in view thereof, further detention of the petitioner is not necessary.

Mr. Mukherjee, learned advocate appearing for the State opposes the prayer for bail and submits that out of 20 witnesses 17 witnesses have already been examined.

Having heard the learned advocates and considering the fact that the trial has proceeded substantially, we are not inclined to grant bail to the petitioner.

Accordingly, the application for bail being C.R.M.10932 of 2020 is rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

