

10.02.2021
Item no.16
Court No.28
Avijit Mitra

C.R.M.11007 of 2020 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Liluah Police Station Case No.327 of 2019 dated 12.12.2019 under Sections 363/365 of the Indian Penal Code subsequently added Sections 363/366/376/120B of the Indian Penal Code read with Sections 4 and 6 of the protection of Children from Sexual Offence Act;

And

In Re : Opendra Kumar Ray @ Upendra Kumar

.... petitioner

Mr. Mrityunjoy Chatterjee

Mr. Ranjit Singh

....for the petitioner

Mr. Rudradipta Nandy

..... for the State

Mr. R.I. Sardar

.....for the *De facto* complainant

The learned advocate appearing for the petitioner submits that the petitioner is in custody for 340 days and he has been falsely implicated by way of distorted facts being narrated in the letter of complaint. Learned advocate further submits that some of the accused persons have been granted bail by a Co-ordinate Bench of this Court.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim under Section 164 of the Code of Criminal Procedure as also the medical documents and the statement of the mother of the victim girl.

We have perused the materials in the case diary more particularly, statements referred to above as also to that of the other witnesses, on appreciation, we are of the opinion that the petitioner is not entitled to be released on bail.

The application for bail being C.R.M. No.11007 of 2020 is, accordingly, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

