

04.01.2021  
S.D.  
08.

**CRM 11019 of 2020**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: **Bhadu Sarkar**

....Petitioner.

Ms. Minoti Gomes  
Mr. Partha Sarathi Das

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,  
Mr. Partha Pratim Das  
Ms. Manasi Roy

....for the State.

This is an application under Section 439 of the Cr.P.C. in connection with Taherpur Police Station Case No. 115 of 2020 dated 15.08.2020 under Section 8 of the Protection of Children from Sexual Offences Act, 2012. The petitioner has filed this application against an order of rejection of bail by the learned Additional District and Sessions Judge, Ranaghat, Nadia.

It is submitted on behalf of the petitioner that he is in custody for 137 days and this is not a case of custodial trial.

Considering that the charge sheet has already been submitted on 30.08.2020 and further in consideration of the statement of the victim girl under Section 164 of the Cr.P.C. and having regard to the fact that the Investigating Officer has started to examine the wife of the accused under Section 161 and so also the Mamima to whom, the victim girl had first informed about the alleged incident not being examined by the

Investigating Officer during investigation, the accused petitioner is allowed to find bail upon furnishing bond of Rs.5,000/- with two sureties of like amount each; one of whom must be local to the satisfaction of the learned Special Judge, under POCSO cum Additional District and Sessions Judge, Ranaghat, Nadia.

CRM 11019 of 2020 is disposed of.

**(Shivakant Prasad, J.)**