

16.03.2021.
18.
as
(Rejected)

C.R.M. 11047 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tangra P. S. Case No.24 of 2020 dated 24.01.2020 under Sections 363/34 of the Indian Penal Code read with Section 4 of the Protection of Children from Sexual Offences Act, 2012.

In the matter of : Rahul Ram.

.... Petitioner.

Mr. Asis Bhattacharyya.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Ms. Sukanya Bhattacharyya,
Mr. Sujay Sarkar.

...for the State.

This is an application for bail in connection with Tangra P. S. Case No.24 of 2020 dated 24.01.2020 under Sections 363/34 of the Indian Penal Code read with Section 4 of the Protection of Children from Sexual Offences Act, 2012 at the behest of the petitioner.

The learned Advocate appearing for the petitioner submits that he is in custody for more than 10 months and according to him there was relationship between the petitioner and the victim and as such they fled on consent. The learned Advocate appearing for the petitioner submits that the investigating authority upon conclusion of investigation has submitted charge sheet and after framing of charge, evidence of the victim is over.

Learned Public Prosecutor draws our attention to the statement of the victim recorded under Section 164 of the Code of Criminal procedure and also the other witnesses.

We have perused the Case Diary which include the statement of the victim as also that of the other witnesses. Having regard to the allegations made by the victim in a statement under Section 164 of the Code of Criminal Procedure so far as the present petitioner is concerned and the fact that the trial of the case is in progress, we are not inclined to release the petitioner on bail.

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

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)