

05.02.2021
Court No.28
rpan /22

C.R.M. 11176 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Eco Park Police Station Case No.35 dated 24.01.2020 under Section 376(f)(i) the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In re: **Dibyendu Jana**

- Petitioner

Mr. Sandeep Prasad Shaw,
Mr. Raju Sharma
... for the Petitioner.

Mr. P. K. Datta,
Mr. Santanu Deb Roy
... for the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge sheet has also been filed and as such, further detention of the petitioner, who is in custody for 345 days, is not necessary.

Records reveal that the petitioner approached this Court earlier praying for bail and the said application, being CRM 6512 of 2020, was dismissed by an order dated 15th September, 2020. In the said order, it was *inter alia* recorded that the petitioner is the step-father of the victim child.

Mr. Datta, learned advocate appearing for the State opposes the petitioners' prayer.

Having heard the learned advocates and considering the materials in the case diary, the magnitude of the offence, its

ramifications and as there had been no change in the circumstances as existing on the date of rejection of the earlier prayer for bail, we are not inclined to grant bail to the petitioner and the application for bail, being CRM 11176 of 2020, is accordingly, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)