

19.02.2021
Court No.28
Item No. 10
Krishnendu
Bail Rejected

**CRM 11193 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Gobindo Sarkar @ Gobinda Sarkar
@ Shibas Sarkar

Petitioner

Mr. Debapriya Samanta

For the Petitioner

Mr. S.G. Mukherjee, Id. P.P.
Mr. Narayan Prasad Agarwala
Mrs. Subhasree Patel

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Raninagar Police Station Case No. 298 of 2020 dated 18.08.2020 under section 376 of the Indian Penal Code and under section 4 of POCSO Act.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in this case. No overt act has been attributed to the petitioner. The principal accused is in custody. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer for bail and submits that the trial has commenced and the next date is fixed on 23rd March, 2021.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the gravity of the offence, the injury reports, the stage of the trial and the complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner.

Accordingly, the application for bail, being CRM No. 11193 of 2020, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)