

23.02.2021
tkm/ct 28
sl no. 26

C.R.M. 11273 of 2020
(Through video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Barasat P.S case no. 343 dated 25.7.2020 under sections 376AB/376(2)(n) of the IPC and section 6 of the POCSO Act

And

In Re : Biswajit Roy petitioner

Mr. H S Ahemed
Ms. Reshmi Rehman

..... for the petitioner

Mr. S. G. Mukherjee, ld. PP
Ms. Manisha Sharma
Ms. Amita Gaur

..... for the State

Learned advocate for the petitioner submits that the petitioner is in custody since 25th July 2020 and as the investigation has already been concluded, further detention of the petitioner is unwarranted in the facts and circumstances of the case.

Learned advocate further submits that there is a deviation in the statement of the victim from the initial complaint which was registered with the police station.

Learned Public Prosecutor opposes the prayer for bail and submits that the allegations are grave and serious.

Having considered the materials on record, gravity of the offence and the stage of the case and on appreciation of the same, we are not inclined to release the petitioner on bail at this stage as such the prayer for bail of the petitioner is rejected.

Learned advocate submits that the next date is fixed for consideration of charge i.e. 25.2.2021.

Learned trial court is directed to complete the process of framing of charge at the earliest and progress with the trial as early as possible.

With the above observations, CRM 11273 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)