

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

29.09.2021

Court No.01
rpan / **16**

C.R.M. 477 of 2021

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

And

In Re : **Samir Chandra Roy @ Nepu**

...Petitioner.

Ms. Madhurima Dutta,
Mr. Sandeep Dutta
....for the petitioner.

Mr. Arun Sarkar,
Mr. Sagnik Shankar Sikdar
....for the State.

The present application for bail under section 439 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No.48 of 2021 dated 13.01.2021 under Section 6 of the Protection of Children from Sexual Offences Act, 2012 has been filed by the petitioner.

Ms. Dutta, learned advocate appearing for the petitioner, submits that the petitioner has been falsely implicated. The allegations levelled are unfounded. Upon completion of investigation, charge-sheet has already been submitted. There is no likelihood that the petitioner would flee from justice. In the said conspectus, further detention of the petitioner, who has already suffered incarceration for a period of more than eight months, is not necessary.

Mr. Sikdar, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several

documents in the case diary including the statement of the victim girl, as recorded under Section 164 of the Code.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour and as such, his prayer for bail is refused at this stage.

The application for bail, being CRM 477 of 2021 is, thus, rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)