

15.06.2021

Court No. 30
Item No. 9(J)
nandy/seth

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

(Via Video Conference)

(bail - rejected)

CRM 619 of 2021

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 28.05.2021 in connection with Maynaguri Police Station Case No. 87 of 2021 dated 23.02.2021 under Section 4 of the Protection of Children from Sexual Offences Act.

and

In the matter of: **Dipak Roy**

..... Petitioner

Ms. Arpita Saha, Advocate

Mr. Hillol Saha Poddar, Advocate

.....for the Petitioner

Mr. Nilay Chakraborty, Advocate

Mr. Aniruddha Biswas, Advocate

..... for the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the victim girl went with the petitioner voluntarily. She refers to the medical report and submits that the charge of rape made is unsubstantiated. According to her, the mother of the victim forced the victim to record the statement under Section 164 of the Code of Criminal Procedure.

Learned Advocate appearing for the State refers to the medical report as also to the statement made by the victim under Section 164 of the Code of Criminal Procedure.

Considering the statements recorded under Section 164 of the Code of Criminal Procedure and considering the gravity of the offence alleged to have been committed, we are not inclined to grant bail to the petitioner.

As such, the prayer for bail of the petitioner is **rejected**.

The application being **CRM 619 of 2021** accordingly **dismissed**.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)