

23.06.2021

Court No. 28
Item No. JB-10
nandy/seth

(bail rejected)

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

(Via Video Conference)

CRM 645 of 2021

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 04.06.2021 in connection with New Jalpaiguri Police Station Case No. 329 of 2020 dated 08.04.2020 under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

and

In the matter of: **Osman Ali @ Md. Osman Ali**

..... Petitioner

Ms. Jeenia Rudra, Advocate

.....for the Petitioner

Mr. Aditi Shankar Chakraborty, Learned A.P.P.

Mr. Biswarup Ray, Advocate

..... for the State

Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with New Jalpaiguri Police Station Case No. 329 of 2020 dated 08.04.2020 under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

This is the fourth application for bail filed before this Court as the earlier three applications have already been dismissed primarily on the ground that the victim girl has not been examined as yet.

We do not find any changed circumstances warranting a different decision to be taken than what had already been taken on earlier occasions.

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

The application being **CRM 645 of 2021** accordingly **dismissed**.

However, we request the learned Special Judge to expedite the matter and record the statement of the minor victim girl at an earliest.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)