

29.07.2021.
14.
Akd/As
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

**C.R.M. 718 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalpaiguri Women P.S. Case No.58 of 2021 dated 09.05.2021 under Sections 6 of the POCSO Act read with Sections 363/365/376(3) of the Indian Penal Code.

In the matter of : Chotton Roy @ Chhoton Roy.
... Petitioner.

Ms. Jeenia Rudra,
Ms. Sahili Dey.
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, ld. A.P.P.,
Mr. Ujjal Luksom,
Mr. Biswarup Roy.
.....for the State.

The 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.

Apprehending arrest in connection with Jalpaiguri Women P.S. Case No.58 of 2021 dated 09.05.2021 under Sections 6 of the POCSO Act read with Sections 363/365/376(3) of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

The petitioner pleads innocence and the victim of the circumstances. According to the learned Advocate for the

petitioner, he has been falsely implicated in the instant case because of the previous love relationship with the victim girl.

The State opposes the prayer for bail.

We have perused the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure narrating the incident and on the basis thereof the case has been registered.

We do not think that it is a fit case where the petitioner should be enlarged on bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The application for anticipatory bail, being CRM 718 of 2021, is thus dismissed.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)