

CRM (DB) 436 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 09.02.2022 in connection with Sonarpur P.S. Case No. 929 of 2021 dated 06.11.2021 under Sections 376(2)(n)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Sudip Ghosh**

... ..Petitioner

Mr. Angshuman Chakraborty, Advocate

Mr. S.S. Saha, Advocate

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP

Ms. Faria Hossain, Advocate

Mr. Anand Keshari, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is a dispute with regard to the tenancy between the petitioner and the family of the de facto complainant. The present police complaint is an offshoot with regard thereto.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He submits that the police seized the mobile phones of the victim as well as of the petitioner. The police came across screen shot of Whatsapp messages exchanged between the petitioner and the victim which states that the petitioner was threatening the victim of uploading the video materials.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

CRM (DB) 436 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)