

29.03.2022
Serial no. 61
Aloke
Ct. No. 29

CRM (DB) 847 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Chakdah Police Station Case No. 374 of 2018 dated 20.11.2018 under Sections 6 of the POCSO Act.

-And-

In the matter of : Manindra Sarkar

...Petitioner

Ms. Rupsa Sreemani, Advocate

... .. For the Petitioner

Mr. Sudip Ghosh, Advocate

Mr. Apur Kr. Datta, Advocates

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is 72 years of age. The petitioner was falsely implicated.

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 and to her medical examination. He submits that four prosecution witnesses were already examined.

The victim was 5 years of age at the time of the incident. Her statement recorded under Section 164 of the Code of Criminal Procedure squarely implicates the petitioner. Her statement is also corroborated by the medical evidence available in the case diary.

Four prosecution witnesses were already examined and the trial is in progress.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that the trial is in progress, we are unable to grant bail to the petitioner at this crucial stage.

CRM (DB) 847 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)