

18.04.2022
Serial no.63
[Dd]
(Bail **Rejected**)

CRM (DB) 992 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Bidhannagr Women** Police Station Case No. **28** of **2021** dated **02.11.2021** under Sections **376(2)(f)(i)(n)** of the Indian Penal Code and Section **06** of the protection of Children from Sexual Offences Act, 2012.

-And-

In the matter of : Atanu Roy Bhowmick
... ...Petitioner

Mr. Angshuman Chkraborty,
Mr. S. S. Saha, Advocates
... ... For the Petitioner

Ms. Anusuya Sinha,
Mr. Pinak Kr. Mitra, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the evidence of the de facto complainant as also the victim is over. He refers to the evidence and submits that the petitioner cannot be said to be implicated in the offences alleged. He submits that the petitioner and the de facto complainant were in a live in relationship. There was demand for money made by the de facto complainant which the petitioner could not meet and, therefore, the false police case was lodged against the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The trial is in progress. Evidence of the prosecution as on date is yet to be over. As a Court considering a petition for bail we are not called upon to evaluate the

evidence and return a conclusive finding on the issues raised.

In such circumstances, we are of the view that there is hardly any material change in circumstances subsequent to the earlier order of rejection warranting grant of bail to the petitioner.

Consequently, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 992 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)