

18-07-2022  
Subha  
Item no.20  
**Bail rejected**

**IN THE HIGH COURT AT CALCUTTA**  
Criminal Miscellaneous Jurisdiction  
Appellate Side

**CRM (SB) 167 of 2022**

**Goutam Manna @ Bulen Manna**  
-vs-  
**The State of West Bengal**

**In Re:** An application for bail under Section 439 Cr.P.C in connection with Pathar Pratima P.S. Case No.115 of 2022 dated 25.04.2022 under section 8 of Protection of Children from Sexual Offences Act, 2012(Corresponding to POCSO case no. 21/2022).

Mr. Md. Sabir Ahmed  
Mr. Sandip Kumar Mondal

...for the petitioner.

Mr. Binoy Kumar Panda  
Ms. Puspita Saha

... for the State.

Mr. Ahmed, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 82 days and he has been falsely implicated in the said case because of previous monetary disputes.

Ms. Saha, learned advocate appearing for the State opposes the prayer for bail and submits that chargesheet has already been submitted before the jurisdictional court in the month May, 2022.

As the chargesheet has already been submitted in connection with the instant case, I direct that the chargesheet witness no. 5 be examined by 31<sup>st</sup> August, 2022. The learned special court under POCSO Act is directed in the meantime to conclude the process of consideration of charges, as also, if required by the concerned Public Prosecutor regarding completion of examination of evidence of other

witnesses.

Needless to state that Section 35 of the POCSO Act is to be scrupulously followed by the courts also. The petitioner would be at liberty to approach this court immediately after the evidence of P.W5 is over.

As such, the prayer for bail of the present petitioner is rejected at this stage with a liberty granted for renewal as directed above.

Criminal Section is directed to communicate this order to the learned special court. Learned advocate for the State would also communicate this order to the learned Public Prosecutor conducting the case in the trial court as well as the Investigating Officer of the case so that effective steps may be taken for compliance with the aforesaid directions

Accordingly, the application for bail being CRM (SB) 167 of 2022 is dismissed.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

