

16.08.2022
S/L No.1
KS

C.R.M. (SB) 194 of 2022

Chanchal Mondal
-Vs.-
State of West Bengal

Ms. Minoti Gomes

.....For the Petitioner

Mr. Prasun Kumar Dutta

Mr. Subrata Roy

.....For the State

Ms. Gomes, learned advocate appears on behalf of the petitioner and submits that the petitioner is in custody for 41 days, he is an Engineering Graduate having passed out in the year 2019 – 2020. Additionally, it has been submitted that there were neighboring disputes and quarrel which ensued between the family of the petitioner as well as the complainant and the petitioner as a result has been falsely implicated in the instant case. It has also been submitted that as charge-sheet has already been submitted further detention of the petitioner is unwarranted.

Mr. Dutta, learned advocate appearing for the State opposes the contentions advanced by the learned advocate appearing for the petitioner. The attention of the Court has been drawn to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as well as that of the other witnesses.

I have considered the nature of the allegations and having regard to the same, I am of the opinion that prior to the evidence of the victim girl being completed, it would not be fit and proper to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected, at this stage.

Learned Special Court is directed to expedite the process of consideration of charges as also the recording of the evidence of the victim, adhering to the provisions of Section 35 of the POCSO Act.

Accordingly, C.R.M.(SB) 194 of 2022 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)