

29.09.2022
tkm/ct 28
sl no. 114

C.R.M. (DB) 3431 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 166/2016 dated 25.03.2016, under sections 363/366A/376 of the IPC and Sections 4/8/12 of the POCSO Act.

And

In Re : Ranjit Mandal @ Sujan

..... petitioner

Mr. Mrityunjoy Chatterjee

..... for the petitioner

Ms. Faria Hossian

Ms. Baisali Basu

Ms. Mamata Jana

..... for the State

Petitioner prays for bail and submits that victim is unwilling to proceed with the case.

Learned lawyer for the State opposes the prayer for bail.

We have considered the statements of the minor victim recorded under Section 164 CRPC. Her statement shows that she was forcibly ravished. Possibility of winning over the victim cannot be ruled out.

Under such circumstances, we are not inclined to grant bail.

Trial court is directed to proceed with the trial and record the evidence of the victim at the earliest.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)