

28.10.2022
Item No.1
Ct.No.32
SA
(reject)

C.R.M. (SB) 257 of 2022

In Re:- An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Purulia (Sadar) Women P. S. Case No.12 of 2020 dated 25.12.2020 under Sections 10 of the Protection of Children from Sexual Offences Act, 2012.

In the matter of : Soumili Das

... Petitioner

Mr. Aritra Bhattacharya

...for the Petitioner

Mr. Mr. N. Ahmed, ld. A.P.P.

Mrs. Manasi Roy

.....for the State

The application is filed praying for bail of the present petitioner in connection with Purulia (Sadar) Women P. S. Case No.12 of 2020 dated 25.12.2020 under Section 10 of the Protection of Children from Sexual Offences Act, 2012. It is the submission of the Learned Counsel appearing for the petitioner that the petitioner is falsely implicated; no direct involvement is there against the present petitioner; the co-accused has more active role in perpetration of crime as it appears from the record. Therefore, according to him, the petitioner should be enlarged on bail specially when charge-sheet has been filed and the matter is pending for trial.

Mr. Ahmed, learned counsel appearing on behalf of the State has submitted that strong incriminating elements are there against the present petitioner indicating her active role

in perpetration of the alleged offence. Her role is more culpable specially when she is Superintendent being in the position of the custodial guardian.

Heard the learned counsels.

It appears that the bail application of the present petitioner was initially rejected on 25.01.2022. Thereafter, there is no change of circumstances warranting reconsideration of the issue. Case Diary reveals incriminating elements against the present petitioner. Therefore, at this stage I am not inclined to allow bail and the same is rejected.

However, the Trial Court is directed to consider the charge within one month from receiving the order and to proceed with the trial, in case charge is framed, as early as possible.

Accordingly, the application stands disposed of.

(Sugato Majumdar, J.)