

10.05.2023
Court No.1
(sb 38)

CRM(DB) 221 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Special (POCSO Case No.17(3) of 2019 arising out of Phansidewa Police Station Case No. 81 of 2019 dated 16.03.2019 under Sections 486/471/420 of Indian Penal Code, R/W 6 of POCSO Act and Section 66E/67A of Information Technology Act pending before the Special Court (POCSO) Act.

And

In the matter of: **Uttam Sharma @ Uttam Kumar Sharma**
.....Petitioner.

Mr. Arunava Paul

... For the Petitioner.

Mr. Abhijit Sarkar
Ms. Namrata Das

... For the State.

1. Affidavit of service filed in Court today is taken on record.
2. It appears that someone has written in capital letters the name 'BAPAY SINGHA' and above that name in a different hand writing 'received' is written.
3. Learned advocate for the State has objected to the service on the ground that the victim has not been served and there may be an occasion for the victim to submit on the application for bail made by the principal accused.
4. After hearing the parties and considering the materials on record and in particular the case diary which has been produced in Court today, we do not find that this is a fit case to grant bail at this stage. The prayer for bail of the petitioner is **rejected**.

5. Accordingly, CRM(DB) 221 of 2023 is disposed of.

(Ananya Bandyopadhyay, J.)

(Arindam Mukherjee, J.)