

06.02.2024.
18.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 114 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gobordanga P.S. Case No.230 of 2022 dated 18.08.2022 under Section 377 of the Indian Penal Code and Section 4 of the POCSO Act and Section 42 of the Juvenile Justice (Care and Protection of Children) Act.

In the matter of : **Swami Satyarupananda.**
... Petitioner.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Abhijit Ganguly,
Mr. Shilalditya Banerjee,
Ms. Shyanti Poddar,
Mr. Sayan Das.
...for the Petitioner.

Mr. Partha Pratim Das,
Mr. A. E. Mollah.
...for the State.

Mr. Abhidipto Tarafder.
...for the de-facto complainant.

1. Petitioner is in custody for one and half years. He submits he has been falsely implicated. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He contends petitioner is the head of the institution where the victims used to reside. He had sexually violated them.

3. Learned Advocate for the victim also opposes the bail prayer.

4. We have considered the materials on record. We have also examined the evidence of the minor victim. He alleges

petitioner had subjected her to penetrative sexual assault. Petitioner is the head of the institution where the victim used to reside.

5. In view of incriminating materials on record and the nature of crime, we are not inclined to grant bail to the petitioner at this stage.

6. Accordingly, the prayer for bail of the petitioner is rejected.

7. We request the trial court to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)