

22.
Court
No.29

04.12.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (DB) 3287 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Polba P.S. Case No. 92/2023 dated 09.04.2023.

And

In the matter of: - **Ranjit Bag**

Mr. Sudip Ghosh Chowdhury
Ms. Shreyeta Mitra

Mr. Debasish Roy, Ld. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu

...petitioner.

...for the petitioner.

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that there was a love affair between the victim girl and the principal accused who was released on bail by the Juvenile Justice Board. However, as the investigation is complete and the depositions of vulnerable witnesses have been completed, he may be enlarged on bail on any condition that this Court may direct.
2. Learned Counsel for the State vehemently opposes the prayer for bail. He has drawn attention of this Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 1973. He has also drawn our attention to the deposition of the victim girl.
3. We have considered the relevant materials on record. The victim girl did not admit that there was any love affair between her and the principal accused, as alleged. There are several incriminating materials against the petitioner wherefrom it appears that the victim girl was taken away to a

place where she was sexually assaulted with the help of the present petitioner, who was not a juvenile. The charge is under Section 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012. If convicted, the petitioner will have to suffer rigorous imprisonment for a minimum term of twenty years which may extend to imprisonment for life which shall mean imprisonment for the remainder of his natural life.

4. In view of the aforesaid and considering the materials on record including the deposition of PW1, we are not inclined to enlarge the petitioner on bail, at this stage. Hence the prayer for bail is rejected.
5. The application being CRM (DB) 3287 of 2024 is accordingly dismissed.
6. We direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournment to either of the parties.
7. Both the parties will immediately communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)