

**18.10.2024**

Ct.No. 8

Item No. 29

Nandy / Saswata

**Rejected**

**C.R.M. (DB) 3552 of 2024**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 (Corresponding Section 439 of the Code of Criminal Procedure) in connection with Frezerganj Coastal Police Station Case no. 72 of 2024 dated 21.07.2024 under Sections 137(2)/140(3)/64(2)(m) of the Bharatiya Nyaya Sanhita and Section 6(1) of the POCSO Act.

And

In the matter of : **Suman Jana**

...petitioner

Mr. Partha Sarathi Mondal

...For the petitioner

Mr. Rana Mukherjee

Mr. Md. Yaser Ammar Ismail

....For the State

1. Affidavit of service filed in Court today is retained with the record.
2. The petitioner has been accused of offence under the Protection of Children from Sexual Offences Act, 2012 (in short POCSO Act). A police station case no. 72 of 2024 dated 21<sup>st</sup> July 2024 has been registered at the Frezerganj Police Station.
3. The petitioner submits that although, the charge sheet has been submitted but the charges have not been framed, as certain reports are awaited by the prosecution to be placed before the Court for framing of the charges. It is submitted that since the charge sheet has been filed, no custodial enquiry is required at this stage.

4. However, keeping in mind the gravity of the offence alleged and that it concerns a minor girl, we are not inclined to enlarge the petitioner on bail particularly, as there is a likelihood of the evidence being tampered and the witnesses including the victim girl being intimidated by the petitioner and / or his associates on the petitioner being enlarged on bail.
5. The application for bail is, thus rejected.
6. CRM (DB) 3552 of 2024 is accordingly dismissed.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Arindam Mukherjee, J.)**

**(Supratim Bhattacharya, J.)**