

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

11.03.2024
Court No.1
(D/L 15)
(AK)

CRM (DB) 65 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Banarhat Police Station Case No.114 of 2023 dated 10.05.2023 under Sections 354A/354C/376D/506 of IPC.

And

In the matter of: **Sundru @ Amit Lohar**

... Petitioner.

Mrs. Matan Chakraborty

...for the petitioner.

Mr. Ujjwal Luksom
Mr. Sagnik Sankar Sikdar

...for the State.

Mr. Aniruddha Biswas
Mr. Kanak Mishra

...for the de-facto complainant.

1. Considering the material in the Case Diary and the *prima facie* involvement of the petitioner in the alleged offence, we are not inclined to grant the prayer for bail.
2. We note that despite the 164 statement of the victim girl narrating a recording of the alleged offence by video, the prosecution has not included any provisions of The Information Technology Act, 2000.
3. The petitioner will of course be at liberty to take these points at the time of trial.

4. CRM (DB) 65 of 2024 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)