

29.04.2024  
SL No.10  
Court No.1  
(gc)  
(rejected)

***Circuit Bench of Calcutta High Court  
At Jalpaiguri***

**CRM (DB) 101 of 2024**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with POCSO Case No.151 of 2021 arising out of NJP GRPS Case No.37 of 2021 dated 16.12.2021, under Section 6 of the POCSO Act, 2012.

And

In the matter of : **Sushanta Debnath @ Buro @ Bijoy**  
- Petitioner.

Mr. Sourav Ganguly  
Mr. Anirban Banerjee,  
Ms. Rishita Chakraborty  
....For the Petitioner.

Mr. Abhijit Sarkar,  
Mr. Sagnik Sankar Sikdar  
....For the State.

1. The report dated 29<sup>th</sup> April, 2024 as filed on behalf of the State be taken on record.
2. Pursuant to our earlier direction, Ms. Priya Sarkar, erstwhile member of Child Line who is the informant of NCBR GRPS Case No.16 of 2021 dated 01.11.2021 is present. She undertakes to appear before the Trial Court to adduce evidence on the next date fixed, that is, on 13.05.2024. It is further reported that the victim girl has not been examined.

3. We have also perused the entire materials of the case diary. There are sufficient incriminating materials as against the present accused petitioner.
4. Considering the seriousness of the crime, the prayer for bail of the present accused petitioner is refused at this stage.
5. Before parting with, we direct the learned Trial Judge to ensure the attendance of the victim girl at the earliest for the purpose of recording her evidence.
6. All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

**(Soumen Sen, J.)**

**(Partha Sarathi Sen, J.)**