

45.
28-02-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 371 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Jamboni Police Station Case No.130 of 2024 dated 29-10-2024 under Section 64(2)(i)(k) of the Bharatiya Nyaya Sanhita.

- A n d -

In the matter of : Pintu Mahata

.... Petitioner.

Mr. Shraman Sarkar,
Ms. Swastika Chowdhury

... For the Petitioner.

Mr. Antarikhya Basu,
Mr. Sourat Nandy

... For the State.

Dictated by Apurba Sinha Ray, J.

1. Service report filed by the State is taken on record. In spite of service, no one appears on behalf of the defacto complainant/victim.

2. Learned advocate for the petitioner submits that the petitioner is in custody for more than four months. There is no incriminating material against him. Investigation is complete. He may be enlarged on bail on any condition.

3. Learned advocate for the State opposes the prayer for bail. He submits that the victim is a special child. There are certain incriminating materials against the present petitioner.

4. We have considered the materials on record including the statement of the victim lady recorded under Section 161 as well as 164 of the Code of Criminal Procedure and they are corroborating with each other.

5. In view of the material on record, we are not inclined to allow the prayer of the petitioner for bail, at this stage.

6. The application for bail is, thus, **dismissed**.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)