

40.
20-03-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 605 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 Hemtabad Police Station Case No.257 of 2024 dated 03-10-2024 under Sections 6/17 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Abhijit @ Avijit Sarkar

.... Petitioner.

Mr. Kunal Ganguly,
Mr. Amit Roy

... For the Petitioner.

Mr. Rana Mukherjee, learned APP,
Ms. Mamata Jana

... For the State.

Mr. Manojit Debnath,
Mr. Souvik Biswas

... For the defacto complainant.

Dictated by Arijit Banerjee, J.

1. Leave is given to learned advocate on record for the petitioner to correct the cause title of the petition.

2. The petitioner says that he has been falsely implicated in this case. He had an amorous relationship with the victim girl of which the girl's family did not approve. Hence, this false complaint. He is in custody for 86 days. Witness action has not begun. He prays for bail.

3. Opposing the prayer, learned Additional Public Prosecutor and learned advocate for the defacto complainant draw our attention to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. She squarely implicates the petitioner. She does not talk of any

love affair. The medical report *prima facie* supports the prosecution case. We also see that the vulnerable witnesses including the victim girl have not been examined.

4. In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

5. The application for bail is, this, **dismissed**.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)