

13.03.2025

Item no. 9.

Court No.29.

AB

(Rejected)

CRM (DB) 778 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj P.S. Case No.816 of 2022 Dated 25.06.2022 under Section 363/370 (4) of the Indian Penal Code read with Sections 6 of the POCSO Act

And

In the matter of : Bapi Shil @ Pramanik

.....Petitioner.

Mr. Navanil De,
Mr. Srinjan Ghosh

.....for the Petitioner.

Ms. Baishali Basu
Mr. Sobhan Gani

.....for the State.

Dictated by Arijit Banerjee, J.

1. Learned Advocate for the petitioner says that the petitioner is in custody for one year and five months. Only 4 out of 13 charge sheet named witnesses have been examined. The petitioner has been falsely implicated. The victim girl refused medical examination. He prays for bail.
2. Learned State Counsel draws our attention to the statement of the victim girl recorded under Section 183 B.N.S.S. 2023 as also to the deposition of the victim girl recorded before the learned Trial Court. In her deposition the victim girl corroborates her statement recorded under Section 183 B.N.S.S. 2023. She clearly implicates the petitioner, who, according to her, kidnapped her, took her to Delhi, kept her there for

three months, raped her repeatedly and she was also sold to a third person.

3. In view of the prima facie incriminating material against the petitioner and the gravity and nature of the offence and also keeping in mind that if convicted of the offence he is charged with, the petitioner will have to undergo at least 20 years of imprisonment, we are not inclined to allow his prayer for bail, at this stage.
4. The prayer for bail stands rejected.
5. CRM (DB) 778 of 2025 is dismissed.
6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)