

05.03.2025
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Court No.26
S.D.

CRM (DB) 2855 of 2024

In re: An Application for cancellation of bail under Section 483 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 439 (2) of the Code of Criminal Procedure.

-And-

In the matter of: Mother of the Victim Girl

... .. Petitioner

Mr. Aritra Bhattacharya
Mr. Anirban Kumar Banerjee
Mr. R. Chatterjee
...For the Petitioner

Mr. Sayan Chattopadhyay
...For the O.P. No. 2
Mr. Rudradipta Nandy, Ld. A.P.P.,
Mr. Debadrita Mondal
...For the State

Petitioner seeks cancellation of bail granted to the private opposite party by the order dated July 30, 2024 passed in Special Case No. 24 of 2024.

Perversity of the order as also the post bail conduct are grounds canvassed for cancellation of bail.

State and the private respondents are represented.

We perused the materials on record in the case diary. Victim recorded a statement under Section 164 of the Cr.P.C. where the allegation is of bad touch at best. Medical

examination report does not throw up any case for a penetrative sexual assault.

Statement of the victim remains uncorroborated presently.

Police filed charge sheet.

Need for custodial trial of the private opposite parties is not felt.

There is a relationship between the father of the victim who is the landlord and the private opposite party who is the tenant.

False implication cannot be ruled out.

In such circumstances, we are not minded to interfere with the order granting bail to the private opposite party.

C.R.M. (DB) 2855 of 2024 stands dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)