

27.01.2025
Item no. 17.
Court No.29.
AB
(Rejected)

CRM (DB) 3647 of 2024

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 Berhampore Police Station Case No.1026 of 2024 Dated 13.07.2024 under Section 64(2)(f)/64(2)(m)/65(2) of B.N.S. 2023 read with Section 6 of the POCSO Act

And

In the matter of : Sujan Khan Petitioner.

Mr. Sekhar Basu, Sr. Adv,
Mr. Diptanshu Basu,
Mr. Nilavo Bose for the Petitioner.

Ms. Sreyashi Biswas
Mr. Sarmarjit Balial for the State.

Mr. Manjit Singh, Sr. Adv,
Mr. Mobaidur Hossain,
Mr. Biswajit Mal,
Mr. Imtiaj Mallick for the Defacto complainant.

Dictated by Arijit Banerjee, J.

1. Order dated January 20, 2025, passed by the learned Trial Court, has been shown to us by learned Senior Advocate representing the petitioner. The learned Court has framed charge against the petitioner, the sole accused, under Sections 6 and 15 of the POCSO Act and Sections 66E and 67B of the IT Act.
2. We have seen the statement of the victim girl recorded under Section 183 B.N.S.S. 2023. She squarely implicates the petitioner. The alleged crime is of a

heinous nature. The girl was all of 7 years of age at the time of the alleged incident.

3. We further see that a schedule has been fixed between February 17, 2025 and March 3, 2025. On 5 different dates, 14 prosecution witnesses are proposed to be examined during that schedule. Therefore, it cannot also be said that there is any delay in progress of the trial.
4. In view of the gravity of the alleged offence and the prima facie incriminating material against the petitioner, we are not inclined to grant him bail, at this stage.
5. The prayer for bail is rejected.
6. CRM (DB) 3647 of 2024 is dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

