

07.02.2025
Item no.41.
Court No.29.
S. De
(Rejected)

CRM (DB) No. 4189 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Sasthi Pada Naskar.

.....Petitioner.

Mr. Angshuman Chakraborty,
Mr. S.S. Saha,for the Petitioner.

Mr. Bibhasan Bhattacharjee,
Mr. Abhinaba Mukherjee,for the State.

Mr. Sauradeep Dutta, ...for the de facto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. The de facto complainant is in the habit of making false complaints. Learned advocate for the petitioner shows us another complaint lodged by this de facto complainant against another 62 years old gentleman making similar allegations. The petitioner says that he is in custody for 223 days. Investigation is complete. His further custodial detention is unnecessary.
2. Learned State counsel draws our attention to the statement of the victim girl who was about 14 years old at the time of the incident. The girl squarely

implicates this petitioner. The medical report shows that the girl's hymen was ruptured.

3. Therefore, there is prima facie incriminating material against this petitioner. We are told that January 6, 2025, was fixed as the date for production and supply of copy under Section 207 Cr.P.C. (Section 230 of the Bharatiya Nagarik Suraksha Sanhita, 2023). Nobody was present on behalf of the petitioner and, therefore, the matter has been adjourned till March 1, 2025.
4. Charge is yet to be framed. We are not inclined to grant bail to the petitioner, at this stage.
5. CRM (DB) 4189 of 2024 is dismissed.
6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)