

CRM (DB) 4250 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Pukhuria Police Station** Case No. **186 of 2016** dated **01.06.2016** under Sections **6/18** of the POCSO Act.

- A n d -

In the matter of : Sish Mohammad @ Sish Mahammad @ Shish Mahammad

.... Petitioner.

Mr. Kalidas Saha,
Mr. Khushi Mollick,
Ms. Mandira Mondal,

... For the Petitioner.

Mr. Arindam Sen,
Mr. A. Sundar Chatterjee,

... for the State.

Dictated by Arijit Banerjee, J:-

1. The petitioner says that he is in custody for 161 days. Charge sheet has been filed upon completion of investigation. Even charge has been framed. There is no material on record in support of the charges. He has been falsely implicated. He prays for bail.
2. Opposing the prayer, learned State Advocate tells us that this is a case of 2016. The petitioner had been absconding for eight years. After proclamation was issued, he surrendered about 5 and half months ago. There is sufficient evidence against him.
3. We have seen the deposition of the victim girl and other material in the case diary. It cannot be said that there is no incriminating material against the petitioner. Further, his past conduct of absconsion for a long period of time, does not entitle him to the privilege of bail, at this stage.
4. CRM (DB) 4250 of 2024 is, thus, dismissed.

5. 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.)