

7.
17-02-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 10 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Nager Bazar Police Station Case No.235 of 2024 dated 05-09-2024 under Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Biswajit Sarkar @ Naru

.... Petitioner.

Mr. Sukanta Chakraborty,
Mr. Anindya Halder,
Mr. Anjan Chakraborty,
Mr. Roumyadip Saha,
Ms. Avantika Chakraborty

... For the Petitioner.

Ms. Subhashree Patel,
Ms. Debjani Sahu

... For the State.

Dictated by Arijit Banerjee, J.

1. Service report filed by the State is taken on record. In spite of service, none appears on behalf of the defacto complainant/victim.

2. The petitioner says that he has been falsely implicated in this case. He has no role to play in the alleged crime. He is in custody for 164 days. He prays for bail.

3. Learned State advocate shows us the statement of the victim girl, about 12 years old, recorded under Section 164 of the Code of Criminal Procedure. The girl vividly narrates how on several occasions, the petitioner sexually assaulted her. The petitioner took a video of the victim girl

while she was changing in the dressing room of the institute after playing badminton. The petitioner blackmailed the victim girl into visiting his house and then sexually exploited her.

4. Giving the heinous nature of the crime and the *prima facie* material against the petitioner, and also keeping in mind that February 27, 2025 has been fixed as the date for consideration of charge, we are not inclined to allow the petitioner's prayer for bail, at this stage.

5. The application for bail is, thus, **dismissed**.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)