

**IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction**

CRA 599 of 2014

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IA NO:CRAN/3/2015 (Old No:CRAN1164/2015)

**Bapi Ghosh
Vs.
The State of West Bengal**

Mr. Subrata Karmakar, Adv.

... For the Appellant.

Mr. Debasish Roy, learned Public Prosecutor,
Ms. Faria Hossain, learned APP,
Mr. Anand Keshari, Adv.

... For the State.

1. A report is submitted by the State, which is taken on record. The report prima facie manifests that Superintendent, Hooghly District Correctional Home, has furnished the said report which reveals that the accused has suffered punishment for seven years with fine of Rs.10,000/- and was released on expiry of sentence on May 02, 2022 after getting 220 days remission.

2. The instant appeal was filed against the judgment and order dated August 31, 2013 and September 02, 2013 passed by the learned Additional Sessions Judge, Fast Track Court, Chandernagore, Hooghly in Sessions Trial Trial No.29/12 thereby convicting the appellant for commission of the offence punishable under Section 376 of the Indian Penal Code and sentencing him to suffer seven years' imprisonment with a fine of Rs.10,000/-.

3. Primarily, on perusal of the records, it transpires that seven witnesses have been examined by the prosecution and the victim herself as PW 1. Her statement was corroborated

by the other prosecution witnesses. The learned trial Court on careful perusal of the materials on record and assessing the evidence adduced on behalf of the prosecution and considering the demeanor of the victim which clearly showed that she became pregnant by the accused person, passed such order of conviction. Therefore, on perusal of the facts and circumstances of the case and that there is prima facie no reason to interfere with such order and considering that the entire period of sentence has been served out by the appellant, there remains nothing for further adjudication of this matter. Hence, the appeal stands disposed of.

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

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

[Chaitali Chatterjee (Das), J.]