

20.10.2020
S.L. No.3
Bpg.

CRM 7362 of 2020
With
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barasat Women Police Station Case No.36 of 2020 dated 17.03.2020 under Section 450/376 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In the matter of: **Akash Paul & Akash Jadav**

...Petitioner.

Mr. Koustav Bagchi,
Mr. A. Islam

...for the petitioner

Mr. T.K. Ghosh
Mr. Arindam Sen

...for the State

Since the previous rejection of the prayer for bail was of September 16, 2020, there is no reason to entertain the present petition. It is made out that the defacto complainant had, in a fit of rage, lodged a complaint and the defacto complainant was willing to marry off her daughter, the alleged survivor, to the petitioner who is the alleged rapist.

Since the age of the minor girl appears to be 16 from the case records as produced by the State, the court cannot be a party to such marriage, nor endorse the statutory rape that has possibly been committed by the petitioner.

CRM 7362 of 2020 along with CRAN 1 of 2020 stand disposed of by refusing the prayer for bail.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)