

19.11.2020
Item No. 20
Sdas
rejected

C.R.M. 8696 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 58 of 2020 dated 19.01.2020 under Section 6 of the POCSO Act.

And

In Re : Ahad Sk. petitioner

Mr. Musharraf Alam Sk.
... for the petitioner

Md. Anwar Hossain
Ms. Sreyashee Biswas
... for the State

It is submitted by the learned Counsel appearing for the petitioner that he has been falsely implicated in the instant case. Medical evidence does not corroborate allegation of penetrative sexual assault.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record and we note that the victim was hospitalized after the incident. Statement of the victim unequivocally speaks of penetrative sexual assault. In view of the aforesaid facts, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)