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CRM 10128 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P.S. Case No.175 of 2020 dated 31.05.2020 under Sections 376(2)(i) of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of: Asman Nowda @ Asman Ali Nowda

....Petitioner.

Mr. A. A. Alamgir

...for the Petitioner.

Ms. Z.N. Khan

Mr. M.F.A. Begg

...for the State.

It is submitted on behalf of the petitioner that he is in custody for six months. He submits that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits that the victim was forcibly ravished and she has given birth to a child.

The statement of the victim girl implicates the petitioner in the alleged offence. Petitioner is an elderly man while the victim is aged around 13 years. In view of the gravity of the offence and prima facie material connecting the petitioner to the alleged crime, we are of the opinion that this is not a fit case to grant bail to the petitioner at this stage.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)