

12.02.2020

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rejected

C.R.M. 1284 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.02.2020 in connection with Jalpaiguri Women Police Station Case No. 120 of 2019 dated 23.09.2019 under Section 4 of the POCSO Act read with Sections 305/34 of the Indian Penal Code.

And

In Re : Shibu Roy petitioner

Ms. Jeenia Rudra

... for the petitioner

Mr. S. Bhattacharya

Mr. Arindam Sen

... for the State

It is submitted by the learned Counsel appearing for the petitioner that there was a love affair between him and the victim. He is in custody for 100 days and investigation is complete.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the petitioner cohabited with the minor on the false promise of marriage and as a consequence she committed suicide.

Having considered the materials on record and bearing in mind prima facie involvement of the petitioner in the alleged crime and as the minor victim was compelled to commit suicide, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

