

06.04.2021

CRM 1476 of 2021

Court No. 28
Item No. 145
snandy

(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 03.02.2021 in connection with Manikchak Police Station Case No. 303 of 2020 dated 18.11.2020 under Section 6 of the Protection of Children from Sexual Offences Act. (POCSO/Special Case No. 130 of 2020)

and

In the matter of: **Md. Bapi @ Raj @ Heron**

..... Petitioner

Mr. Kalidas Saha, Advocate

.....for the Petitioner

Mr. Prasun Kumar Dutta, Advocate

Mr. Subrata Roy, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Manikchak Police Station Case No. 303 of 2020 dated 18.11.2020 under Section 6 of the POCSO Act.

The age of the victim is shown as 17 years and indubitably there was physical relation established between the victim and the petitioner. The ingredients of Section 6 of the Protection of Children from Sexual Offences Act (POCSO) are prima facie evident and imminent from the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

We thus do not find that this is a fit case where the petitioner should be enlarged on bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 1476 of 2021** accordingly **dismissed**.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)

