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Kole 27.07.2021
Ct. No.32
Rejected

C.R.M. 3005 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Ashoknagar Police Station Case No. 118 of 2021** dated **12/02/2021** under Section **8** of the POCSO Act, 2012.

And

In the matter of: - **Sankar Ray**

....petitioner.

Mr. S. Purkayastha

.... For the petitioner.

Mrs. Zareen N. Khan,
Mrs. S. Das

...for the State.

The allegation against the petitioner is under Section 8 of the Protection of Children from Sexual Offences Act, 2012. It is submitted on behalf of the petitioner that the petitioner is in custody for 165 days and has been falsely implicated. He is a family person and has no involvement in the alleged offence.

The State opposes the prayer for bail and draws our attention to the statement of the victim recorded under Section 164 of the Code.

Upon consideration of the material available in the case diary, we are of the view that there is sufficient material indicating *prima facie* involvement of the petitioner in the alleged offence. It is submitted that charge has been framed and witness examination is about to commence shortly. As examination of vital and vulnerable witnesses is yet to be held and also in view of the nature of the offence, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly the prayer for bail is rejected.

CRM No. 3005 of 2021 is, thus, dismissed.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)