

10 26.07.2021
Kole Ct. No.32
Rejected

C.R.M. 3153 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **07/04/2021** in connection with **Burdwan (W) Police Station Case No. 39 of 2021** dated **09/02/2021** under Sections **376 (2)(I)** of the Indian Penal Code and Section 6 of the POCSO Act, 2012 (Sessions Case (POCSO) No. 12 of 2021.

And

In the matter of: - **Samir Mondal**

....petitioner.

Mr. U. Roy,
Mr. S. Kanjilal,
Mr. S. Debnath,
Mrs. A. Chatterjee

...for the petitioner.

Mrs. Faria Hossain,
Mrs. B. Basu,

...for the State.

It is submitted on behalf of the petitioner that the petitioner is in custody for more than 167 days and charge-sheet has been submitted. He has been falsely implicated in this case and is innocent. His further detention is no longer required.

The State has produced case diary and refers to the injury report of the victim, aged about 7 years, in opposing the prayer for bail.

Having considered the nature of injury of the victim as well as other material in the case diary and also the gravity of the offence and prima facie involvement of the petitioner therein, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly the prayer for bail is rejected.

CRM No. 3153 of 2021 is, thus, dismissed.

(**Suvra Ghosh, J.)**

(**Arijit Banerjee, J.)**