

CRM 3295 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia Women Police Station Case No.50 of 2017 dated 18-06-2017 under Sections 376(2)(i)/325/307 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Sk. Nasirul @ Sk. Chotokochi

.... Petitioner.

Mr. Manik Lal Poddar

... For the Petitioner.

Mr. Neguive Ahmed,
Mr. Md. Anwar Hossain,
Mrs. Amita Gaur

... For the State.

Mr. Himangshu Dey,
Mr. Sanjoy Ghosh

... For the defacto complainant.

This is the fifth application filed by the petitioner praying for bail. The charge against him is of rape and attempted murder. Section 6 of the POCSO Act is also invoked.

It is submitted by learned advocate for the petitioner that the petitioner is ready, willing and prepared to marry the survivor girl. An affidavit is sought to be filed on behalf of the survivor girl supporting the cause of the petitioner.

We are, however, not inclined to allow this application. On four occasions, the prayer for bail was rejected. There does not appear to be any apparent change in circumstances. If the petitioner wants to enter into matrimonial tie with the survivor girl, the petitioner will be at liberty to say so before the trial Court and upon considering

the material on record, the trial Court is requested to proceed and pass an appropriate order in accordance with law.

The application for bail being CRM 3295 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)