

**CRM 3488 of 2021**

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tapan Police Station Case No.229 of 2020 dated 27-07-2020 under Sections 498A/302/34 of Indian Penal Code and added Sections 4/6 of Protection of Children from Sexual Offences Act.

- A n d -

**In the matter of : Rahul Chowdhury**

.... Petitioner.

Mr. Partha Chakraborty,  
Ms. Sharmistha China

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,  
Ms. Zareen N. Khan,  
Ms. Sreeparna Das

... For the State.

The petitioner renews his prayer for bail which was rejected by a coordinate Bench by an order dated February 12, 2021 passed in CRM 11085 of 2020.

The petitioner is the husband of the victim girl who was all of 15 years of age at the time of the incident. The petitioner says that there was extreme love and affection between him and his wife and he has been falsely implicated in this case under Sections 498A/304B/34 of the Indian Penal Code read with Sections 4/6 of the POCSO Act. He has been in custody for more than 400 days. Charge has not yet been framed.

We have seen the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. The statements clearly implicate the petitioner as having regularly tortured the victim for coming from a poor background and not bringing in sufficient dowry.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged offence and also keeping in mind the earlier rejection of the petitioner's prayer for bail and there being no significant change of circumstances thereafter, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM 3488 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.

( **Bivas Pattanayak, J.**  )

( **Arijit Banerjee, J.**  )