

CRM 4567 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No.135 of 2021 dated 01-02-2021 under Section 6 of the POCSO Act.

- A n d -

In the matter of : Bablu Mandal

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Binay Kumar Panda,
Mr. Subham Bhakat,
Ms. Puspita Saha

... For the State.

The allegation is that the petitioner molested and raped the victim who was about ten years old at the time of the incident. The petitioner strongly denies the allegation. He says that he has been falsely implicated by reason of existing disputes between the two families.

We have seen the statement of the victim girl. She describes vividly the heinous act of the petitioner. There were two eyewitnesses who were friends of the victim and we have seen their statements also. All of them clearly implicate the petitioner. The State says that recording of evidence is in progress.

Considering the serious nature of allegation and the incriminating material on record, although the petitioner may have been in custody for about 244 days, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM 4567 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.)