

CRM 5067 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Andanga Police Station Case No.236 of 2020 dated 19-04-2020 under Sections 376(2)(I)/376(3) of the Indian Penal Code and Section 6 of POCSO Act.

- A n d -

In the matter of : Rejaul Islam @ Raju

.... Petitioner.

Ms. Sonali Das

... For the Petitioner.

Ms. Zareen N. Khan,
Ms. Sreeparna Das

... For the State.

The petitioner is one of several accused persons. The charge is of raping a 15-year old girl.

The petitioner says that he has been falsely implicated. He is not involved in the offence in any manner.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. She clearly implicates the present petitioner and other un-named persons.

We have also considered the medical report. The petitioner says that there is no injury indicated in the medical report. That is correct. However, it is not always necessary that injury would be found. The victim has given a clear statement.

On an overall assessment of the material on record and the nature and seriousness of the alleged offence, although the petitioner might have been in custody for about one and a half years, we are not inclined to entertain the prayer of the petitioner for bail, at this stage.

The application for bail being CRM 5067 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.)**