

07.12.2021
saswata
ct 28
sl no. 21

C.R.M. 5437 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Tarakeswar P.S. case no. 187 dated 05.12.2020 under sections 363/365 of the Indian Penal Code read with Sections 4 & 6 of the POCSO Act and subsequently charge sheet has been filed under Sections 363/365/366/323/376(2)(n) of the Indian Penal Code read with Sections 4/6 of the POCSO Act.

And

In Re : Rabi Sankar Jana

..... petitioner

Mr. Ansuman Bera

..... for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. PP

Ms. Faria Hossain

Ms. Sonali Das

..... for the State

The petitioner renews his prayer for bail. He is in custody for 354 days.

Learned lawyer for the State submits that the petitioner had kidnapped a minor girl and ravished her.

We have considered the materials on record including the statement of the minor girl. The allegations are grave and prayer for bail of the petitioner was rejected earlier in June 2021. There is no substantial change in circumstances since then.

In view of the aforesaid facts, we are of the opinion no case for reconsidering the prayer for bail has been made out. Hence the petitioner is not entitled to be enlarged on bail.

Accordingly, the prayer for bail is rejected.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)