

15.09.2021
Item no.9

Aloke
Ct. No.29

Through Video Conference

C.R.M. 5916 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.08.2021 in connection with Khanakul P.S. Case No. 242 of 2021 dated 13.06.2021 under Sections 376(2)(n)/354C/506 of the Indian Penal Code and Sections 4/6/12 of the POCSO Act and ended up charge-sheet under Sections 376(2)(n)/376(3)/354A/354B of the Indian Penal Code and Section 6(1)/8/12 of the POCSO Act.

And

**In the matter of : Ayub Mandal alias Ayub Ali Mondal
... Petitioner**

Mr. Suman Chakraborty, Advocate

... for the Petitioner

Mr. Binay Panda, Advocate

Ms. Puspita Saha, Advocate

Mr. Subham Bhakat, Advocate

... for the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 94 days. The police submitted charge-sheet. The de facto complainant is yet to state the date of the alleged incident.

Learned Advocate appearing for the State draws attention of the Court to the medical report and to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim girl.

Considering the facts and circumstances of the case and particularly the medical report and the statement recorded under Section 164 of the Code of Criminal Procedure, we are unable to grant bail to the petitioner as prayed for at this stage.

C.R.M. 5916 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)