

20.12.2021
176
sdas
rejected

C.R.M. 8457 of 2021
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Joypur Police Station Case No. 82 of 2021 dated 24.09.2021 under Sections 376(2)(1)/376(3) of the Indian Penal Code and Section 6 of POCSO Act.

And

In Re : Aptar Kha petitioner

Mr. Souma Subhra Roy
... for the petitioner

Ms. Faria Hossain
Ms. Sonali Das
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for 87 days and has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record including statement of the minor girl which prima facie implicates the petitioner in the alleged rape.

Under such circumstances and keeping in mind gravity of the offence and prima facie involvement of the petitioner therein, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)