

29.01.2021
Court No.28
Item No. 28
Krishnendu
Bail Rejected

**CRM 11218 of 2020
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Tojibule Rahaman @ Tojibul @ Tojibur Rahaman
Petitioner

Mr. Kalidas Saha

For the Petitioner

Mr. Swapan Banerjee

Mr. Suman De

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Pukhuria Police Station Case No. 548 of 2019 dated 24.12.2019 under sections 363/365/368/34 of the Indian Penal Code and section 4 of the Protection of Children from Sexual Offences Act.

Mr. Saha, learned advocate appearing for the petitioner submits that the petitioner is the father of one Yasin Ali and he has been falsely implicated. No overact has been attributed to the petitioner, who is presently fifty years of age. Upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody for 391 days, is not necessary.

Mr. Banerjee, learned advocate appearing for the State opposes the prayer for bail.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the application for bail, being CRM No. 11218 of 2020, is dismissed.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)