

28.01.2022
Serial no.54
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(Through Video Conference)

CRM (DB) 13 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Maipith Coastal** Police Station Case No. **95** of **2021** dated **13.10.2020** under **Sections 363/365** of the Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act, 2012 (POCSO Act); (subsequently charge sheet has been submitted under **Sections 363/365/376(3)** of the Indian Penal Code and **Section 4** of Protection of Children from Sexual Offences Act, 2012 (POCSO Act) corresponding to Special Case No. 124/2020.

-And-

In the matter of : Muslima Laskar

... ..Petitioner

Mr. Sabir Ahmed
Mr. Sandip Kumar Mondal
Mr. Ashis Agarwal
Mr. Kanailal Dutta

... .. For the Petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... ..For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 472 days. Charge sheet was filed. Further, detention is not required. He further submits that the petitioner accompanied the victim and that the petitioner was not aware of any untoward incident happening with the victim.

Learned advocate appearing for the State draws attention of the Court to the contents of the statements recorded under Section 164 of the Code of Criminal Procedure of the victim.

The victim is a lady of 13 years of age. In her statement, she named the petitioner as one of the persons who took the petitioner to a locale where somebody else ravished her.

Learned advocate for the state submits that other persons named by the victim are yet to be arrested.

Considering the statements recorded under Section 164 of the Code of Criminal Procedure of the victim and considering the gravity of the crime and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

Prayer for bail is rejected.

CRM (DB) 13 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)