

02.02.2022
Serial no.68

Aloke
Ct. No. 29

(Through Video Conference)

CRM (DB) 155 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2022 in connection with Howrah Women Police Station Case No. 17 of 2021 dated 16.06.2021 under Sections 341/323/376/506/34 of the Indian Penal Code read with Sections 4/8/12 of the POCSO Act.

-And-

In the matter of : **Subir Kumar Paul @ Subir Kumar Pal**
... ...Petitioner

Mr. Kallol Mondal, Advocate

Ms. Anamitra Banerjee, Advocate

... ... For the Petitioner

Ms. Z.N. Khan, Advocate

Mr. Md. Kutub Uddin, Advocate

... ... For the State

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that considering the period of detention of the petitioner and the fact that police filed charge-sheet, prayer for bail should be considered. He highlights the fact that although another co-accused was named in the statement recorded under Section 164 of the Code of Criminal Procedure, the police did not file charge-sheet against such co-accused.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement recorded under Section 164 of the Code of Criminal Procedure.

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

Consequently, CRM (DB) 155 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)