

02.02.2022

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Ct. No. 29
KAUSHIK
REJECTED

C.R.M.(DB) 183 of 2022
(via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **71** of **2021** dated **23.02.2021** under Section 4 of the Protection of Children from Sexual Offences Act read with Section 307 of the Indian Penal Code.

And

In Re : Mangal Mahaldar @ Mukesh Mahaldar @ Mangal
..... petitioner

Ms. Minoti Gomes

.....for the petitioner

Mr. Binoy Panda

Ms. Puspita Saha

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner was not named in the First Information Report. The police filed charge-sheet, *inter alia*, under Section 6 of the POCSO Act.

Learned Advocate appearing for the State draws the attention of the Court to the statement under Section 164 of the Code of Criminal Procedure (Cr.P.C.) of the victim.

Considering the gravity of the offence and the complicity of the petitioner therein as transpiring from the case record including the 164 Cr.P.C. statement of the victim, we are unable to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected and the application being CRM (DB) 183 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)