

07.02.2022

Sl. 54

Court No.29

suvayan

(rejected)

C.R.M. (DB) 332 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2022 in connection with **Kashipur** P.S. Case No. **419 of 2021** dated **12/09/2021** under Section **376(2)(n)** of the Indian Penal Code and under Section **6** of POCSO Act.
And

In the matter of: Mostakin Molla @ Rahul

....petitioner.

Mr. Uday Sankar Chatterjee
Mr. Suman Sankar Chatterjee
Mr. Santanu Maji

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There was a love affair between the victim and the petitioner. He draws the attention of the Court to the age of the victim. He submits that the petitioner is in custody for 142 days. Police filed charge-sheet.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Criminal Procedure Code of the victim girl.

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

However, we request the jurisdictional Court to frame the charges expeditiously as possible.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 332 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)