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(AD)

23.03.2022

Court No.29

(Rejected)

C.R.M. (DB) 462 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **SPL T.R-150 of 2021** arising out of **Howrah Women** P.S. Case No.**31 of 2021** dated **20.11.2021** under Sections **376AB/376(2)(d)** of the Indian Penal Code, 1860, Sections **4/6/17** of POCSO Act and Section **75** of Juvenile Justice (Care and Protection of Children) Act, 2015. Charge Sheet No.01 of 2022 dated 17.01.2022 under Sections **376(2)(d)/120B/34** of the Indian Penal Code, 1860, Section **17** of POCSO Act and Sections **75/87** of the Juvenile Justice (Care and Protection of Children) Act, 2015.

And

In the matter of: Papiya Haldar

....petitioner.

Mr. Sabir Ahmed
Mr. Mujibar Ali Naskar

... for the petitioner.

Mr. Rudradipta Nandy

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is pregnant for about six months. No overt act was attributed to the petitioner. The petitioner was working as a storekeeper.

Learned Advocate appearing for the State submits that the petitioner was part of a group of persons who were in the so-called child welfare home. There used to be late night rave parties at such home. The petitioner was one of the participants therein. The victim was one of the inmates of such home. She was given in adoption. Her adoptive parents took her to the doctor where, she was diagnosed and she confided that, she used to be ravished all this time. She narrated the incident whereupon the police conducted the investigation. The

other inmates of the nursing home were removed over night.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the case diary, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 462 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)