

CRM (DB) 494 of 2022

In re: An Application for bail under Section 439 of the Code of Criminal Procedure filed on 14.02.2022 in connection with Haldia Women P.S. Case No. 67 of 2021 dated 13.07.2021 under Sections 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Sanjib Das**

... ...Petitioner

Mr. Suman De, Advocate

... ... For the Petitioner

Mr. Ranabir Roy Chowdhury, Advocate

Mr. Sandip Chakraborty, Advocate

... ... For the State

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner draws the attention of the Court to the medical report of the victim. He submits that there was no evidence of penetrative sexual assault on the victim. He submits that the petitioner is in custody for 253 days. The police filed charge-sheet.

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

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the fact that there is hardly any material change in the circumstances subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

CRM (DB) 494 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)