

24.03.2022
Sl. 88
Court No.29
sourav
(Rejected)

C.R.M. (DB) 520 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **17.02.2022** in connection with **Hemtabad** Police Station Case No. **197** of **2021** dated **22.08.2021** under Sections **363/365** of the Indian Penal Code and Section **6** of the POCSO Act.

And

In the matter of: **Abdul Hamid**

....petitioner.

Mr. Somnath Adhikary,

...for the petitioner.

Mr. Tanmay Kumar Ghosh,
Mr. Arindam Sen,

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 202 days. The petitioner was falsely implicated.

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

In a statement recorded under Section 164 of the Criminal Procedure Code, the victim states that she was married to one Shahid with whom she was in love. However, the present petitioner ravished her and that she was pregnant by the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary including the statement of the victim recorded under Section 164 of the Criminal Procedure Code, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 520 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

