

04.03.2022

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Ct. No. 29
KAUSHIK
REJECTED

C.R.M. (DB) 602 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Eco-Park** Police Station Case No. **220** of **2021** dated 16.08.2021 under Section 376(3) of the Indian Penal Code, 1860 and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012 (Charge-sheet filed under Sections 376(3)/120B of the Indian Penal Code, 1860 and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Injamul Haque @ Enjamul Haque.
..... petitioner

Mr. Ayan Basu
Mr. Sumit Routh
....for the petitioner

Ms. Zareen N. Khan
Mr. Ashok Das
....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 78 days. The petitioner was falsely implicated. He refers to the statement of the Manager of the Hotel where the incident was alleged to happen. He submits that, the Manager of the Hotel did not implicate the petitioner. The petitioner was not identified in the Test Identification Parade. He draws the attention of the Court to the medical report of the victim and submits that the incident alleged is not corroborated by the medical evidence.

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 (Cr.P.C.). She submits that, the petitioner booked the hotel room in his name.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the 164 Cr.P.C. statement of the victim implicating the petitioner, we are unable to grant bail to the petitioner.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 602 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)