

**08.03.2022**

Sl. 67  
Court No.29  
suvayan  
(rejected)

**C.R.M. (DB) 649 of 2022**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.03.2022 in connection with **Santipur** P.S. Case No. **819/2021** dated **10/10/2021** under Section **376(3)** of the Indian Penal Code and Section **4** of Protection of Children from Sexual Offences Act.

And

In the matter of: Jayanta Sarkar

....petitioner.

Mr. Sagar Saha  
Mr. Subir Debnath  
Ms. Roma Roy

...for the petitioner.

Mr. Binay Panda  
Mr. Subham Bhakat

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 148 days. He submits that the statement of the victim recorded under Section 164 of the Criminal Procedure Code is not corroborated by the medical evidence.

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

Considering the gravity of the offence and the involvement of the petitioner therein the age of the victim recorded under Section 164 of the Criminal Procedure Code and the medical report of the victim, we are unable to grant bail to the petitioner.

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

**C.R.M. (DB) 649 of 2022** is dismissed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**

