

14.03.2022
Sl. 67
Court No.29
sourav
(Rejected)

C.R.M. (DB) 709 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **09.03.2022** in connection with **Shyampur** P.S. Case No. **227** of **2021** dated **12.06.2021** under Section **363/376(3)/506/34** of the Indian Penal Code and Section **6** of the POCSO Act

And

In the matter of: **Sk. Taifik Ali @ Toufik Ali**

....petitioner.

Mr. Krishan Ray
Mr. Anindya Ghosh
Mr. Pronojit Roy

...for the petitioner.

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen

...for the State.

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 252 days. He submits that the charge-sheet against the petitioner is not under provisions of the POCSO Act. Two other co-accused were granted anticipatory bail by this Hon'ble Court.

Learned advocate appearing for the State submits that the petitioner is not standing in the same footing as that of the other co-accused were granted anticipatory bail. They were not named in the Statement of the victim recorded under Section 164 of the Criminal Procedure Code. The petitioner along with two others are named in the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from 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) 709 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

