

CRM (DB) 846 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 124 of 2021 dated 22.07.2021 under Sections 376(2) (i) of the Indian Penal Code and Section 4 of the POCSO Act.

-And-

In the matter of : Purnachandra Mallick

...Petitioner

Mr. Anal Maitra, Advocate

... ... For the Petitioner

Ms. Faria Hossain, Advocate

Ms. Baisali Basu, Advocates

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is 76 years of age. The petitioner was falsely implicated.

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

The victim is 8 years of age. In her statement recorded under Section 164 of the Code of Criminal Procedure she squarely implicates the petitioner. At least a portion of her statement recorded under Section 164 of the Code of Criminal Procedure stands corroborated by the medical evidence available in the case diary.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

CRM (DB) 846 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)