

C.R.M. (DB) 858 of 2022

30.03.2022
Sl. 73
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Bhimpur** Police Station Case No. **320** of **2020** dated **07.12.2020** under Sections **376AB** of the Indian Penal Code and Section **6** of the POCSO Act.

And

In the matter of: **Basudeb Mondal**

....petitioner.

Mr. Prabir Majumder,
Mr. Snehansu Majumder,

...for the petitioner.

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen,

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 477 days. He refers to the evidence of the victim and submits that the victim accepted that whatever she said was tutored by her mother.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary and the age of the victim. He submits that the victim is 3 years of age. The entire evidence of the prosecution is yet to be concluded. He disputes the fact that the victim in her evidence stated that she was tutored by her mother.

There are overwhelming evidence in the case records to implicate the petitioner in the offences that he is charged with. The evidence of the victim cannot be read in the manner as sought to be contended by the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to enlarge the petitioner on

bail.

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

C.R.M. (DB) 858 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

