

**07.04.2022**  
**Serial no.37**  
[Dd]  
(Bail **Rejected**)

**CRM (DB) 893 of 2022**

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Namkhana** Police Station Case No. **99** of **2021** dated **19.06.2021** under Sections **376(2)(i)** **(i)** of the Indian Penal Code and under Section **6** of Children from Sexual offences Act, 1912. Corresponding to Special Case No. **SPL 27 of 2021**.

-And-

**In the matter of : Sk. Islam alias Islam Sk.**  
... ..**Petitioner**

*Mr. Ayan Basu,*  
*Mr. Sandip Kr. Mondal,*  
*Mr. Sumit Routh, Advocates*  
... .. *For the Petitioner*

*Mr. Neguive Ahmed, Id. APP*  
*Ms. Amita Gour, Advocates*  
... ..*For the State*

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He contends that there are dichotomy between the statement of the victim and the mother of the victim as well as medical report of the victim.

Learned Additional Public Prosecutor draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code as well as her mother.

Both the victim and the mother in their statements recorded under Section 164 of the Criminal Procedure Code squarely implicate the petitioner.

The Court is informed that the trial Court fixed dates for recording the evidence of the prosecution.

The trial is in progress.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that trial is in progress and considering the fact that there is hardly any materials change in circumstances subsequent to the earlier order of rejection, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 893 of 2022 is **dismissed**.

**(Debangsu Basak, J.)**

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