

25.04.2022
Serial no.59
[Dd]
(Bail **Rejected**)

CRM (DB) 1068 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **POSCO Trial No. 03 (7) 2019** arising out of **Dhantala** Police Station Case No. **389** of **2018** dated **20.10.2018** under Sections **376AB** of the Indian Penal Code read with **Section 6** of POCSO Act.

-And-

In the matter of : Kartick BiswasPetitioner

Mr. Khalid Hasan, Advocate
... .. For the Petitioner

Ms. Anasuya Sinha,
Mr. Pinak Kr. Mitra, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 1200 days.

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

The prayer for bail on the earlier occasion was rejected on the strength of the statement of the victim recorded under Section 164 of the Criminal Procedure Code. The victim was 12 years of age when the incident occurred.

Considering the fact that there is hardly any material 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) 1068 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)