

26.04.2022
Serial no.61
[Dd]
(Bail **Rejected**)

CRM (DB) 1079 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Eco Park** Police Station Case No. **193** of **2021** dated **31.07.2021** under Sections **4 & 6** of the POCSO Act O/W 228 I.P.C.

-And-

In the matter of : Maqsood Chisi @ Kabir
... ..Petitioner

Mr. Indrakanta Jha,
Mr. Gobinda Baidya, Advocates
... .. For the Petitioner

Mr. S. G. Mukherjee, learned. P. P
Mr. Partha Pratim Das,
Ms. Manasi Roy, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that considering the period of detention of the petitioner and considering the fact that the medical report does not speak of any sexual assault, the prayer should be considered.

Learned advocate appearing for the State draws the attention of the Court to the earlier order of rejection as also to the materials in the case diary.

On February 3, 2022, the earlier prayer for bail was rejected on the ground of the gravity of the offence, the involvement of the petitioner therein and the statement recorded under Section 164 of the Criminal Procedure Code of the victim as well as the medical report of the victim.

The fact that there was no material change in circumstances from the earlier order of rejection dated

December 20, 2021 was also taken into consideration then. As noted in the order dated February 3, 2022, the medical report of the victim was taken into consideration then. Today also the medical report is sought to be made a ground for the purpose of prayer for bail. There is hardly any material change in circumstances subsequent to the earlier order of rejection.

Consequently, we are not inclined to grant bail to the petitioner.

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

CRM (DB) 1079 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)