

54 04.05.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 1174 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Spl. T.R. Case No.44 of 2020 arising out of **Sankrail** P.S. Case No.**340 of 2020** dated **01.05.2020** under Sections **376(2)(f)** of the Indian Penal Code read with Section **6** of the Protection of Children from Sexual Offences Act subsequently charge sheeted under Sections **376/511** of the Indian Penal Code read with Section **10** of the Protection of Children from Sexual Offences Act.

And

In the matter of: Raj Kumar Chowdhury

....petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder
Mr. Kaushik Dey

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 723 days. The petitioner is ready and willing to stay outside the district of Howrah and, therefore, his prayer for bail should be allowed.

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

The victim who is about 13 years of age implicates the

petitioner who is her father in the offences alleged. The Court is informed that the next date is fixed for the purpose of framing of charges.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are unable to enlarge the petitioner on bail.

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

C.R.M. (DB) 1174 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)