

CRM (DB) 1190 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Arambagh Police Station** Case No. **361 of 2021** dated **11.09.2021** under Sections **376(2)(N)** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Sanaullah Khan @ Ramjan

.... Petitioner.

Mr. Suman Chakraborty,

... For the Petitioner.

Mr. S. S. Imam,

Mr. A. Manna,

... for the State.

The petitioner prays for bail.

Learned Advocate for the petitioner submits that the petitioner is in custody for 238 days. He highlights the delay in the lodgment of the First Information Report. He submits that the date of incident is not stated in the First Information Report.

Learned Advocate 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. He submits that the victim realized that she was pregnant four months down the line.

The victim is 16 years of age. In her statement the victim implicates the petitioner.

Considering the gravity of the offence and involvement of the petitioner and considering the materials in the case diary, we are not inclined to grant bail to the petitioner.

CRM (DB) 1190 of 2022 is, accordingly, dismissed.

(Kausik Chanda, J.)

(Debangsu Basak, J.)