

18.05.2022

Sl. No.05.

Mithun

Ct.No.42.

CRM (SB)/96/2022

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No.103/2022 dated 3.3.2022, under Sections 8/12 of the Protection of Children from Sexual Offences Act.

In the matter of : **Kawsar Ali Sardar @ Abbas**

...Petitioner.

Mr. Snehansu Majumder , Adv.

...for the petitioner.

Mr. Arani Bhattacharyya, Adv.

...for the State.

The learned Advocate for the petitioner submits that the petitioner has been booked for committing offence under Sections 8 and 12 of the Protection of Children from Sexual Offences Act. He is in custody for about 76 days. Charge-sheet has been submitted in this case. Therefore, further detention of the petitioner is not necessary. He may be released on bail.

Learned Public Prosecutor-in-Charge has produced the case diary and takes me to the statements of the victim girl and her elder brother recorded under Section 164 of the Code of Criminal Procedure. The victim is a girl aged about 4 years. The allegation levelled against the accused and the specific act done by the accused as reflected from the statements recorded under Section 164 of the Cr.P.C. of the victim and her elder brother who are both minors, acute perversity of the petitioner

and prima facie culpable mental state are vivid and expressed. Therefore, I am not inclined to release the petitioner on bail at this stage. Prayer for bail is thus, refused.

The instant application is, accordingly **disposed of**.

(**Bibek Chaudhuri, J.**)