

10.06.2022

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rejected

C.R.M. (DB) 1481 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No. 195 of 2020 dated 06.08.2020 under Sections 376(2)(f)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Sk. Saifuddin Rahaman @ Bappa petitioner

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Antarikhya Basu

Ms. Madhumita Basak

... for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

... for the State

Ms. Juin Dutta Chakraborty

... for the de facto complainant

Petitioner is in custody for 673 days.

Learned senior Counsel appearing for the petitioner submits that there is substantial delay in lodging F.I.R.

Learned Counsel appearing for the State opposes the prayer for bail and submits his prayer for bail was earlier rejected.

Learned Counsel appearing for the de facto complainant also opposes prayer for bail.

We have considered materials on record including statement of the victim girl. Petitioner was a tutor of the victim and had allegedly sexually exploited her.

Keeping in mind the overwhelming superior status of the petitioner in relation to the minor victim and as threats had been held out by the petitioner that he would upload objectionable pictures of the victim girl in the internet, delay appears to have been reasonably explained.

Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)