

21.06.2022

42
sdas
rejected

C.R.M. (DB) 1924 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 486 of 2022 dated 12.05.2022 under Sections 4/6 of the POCSO Act.

And

In Re : Subhan Sekh @ Sk. petitioner

Mr. Prosenjit Biswas

... for the petitioner

Mr. Narayan Prasad Agarwala

Ms. Subhasree Patel

... for the State

Petitioner is in custody for 40 days.

Learned Counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statement of victim recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner in the crime. Her statement is corroborated by her friend.

In view of the aforesaid incriminating materials and gravity of the offence involving penetrative sexual intercourse on a eight year old girl, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

