

10.08.2022
Sl. No.22
akd
[Rejected]

C. R. M. (DB) 2394 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.07.2022 in connection with Kakdwip Police Station Case No. 264 of 2021 dated 26.08.2021 under Sections 365/376(3) of the Indian Penal Code, Section 9 of the Prohibition of Child Marriage Act and Section 6 of the POCSO Act.

And

In Re: ***Subrata Bej***

... .. Petitioner

Mr. Gobinda Chandra Baidya
Mr. Gobinda Baidya

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Manoranjan Mahata

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for over 300 days. It is further submitted there was a love affair between the parties.

Learned Additional Public Prosecutor opposes the prayer for bail and submits victim was a minor girl aged around 12 years.

We have considered the materials on record. Petitioner is married to the sister of the minor girl. He enticed the minor and subjected her to penetrative sexual assault. In view of the aforesaid circumstances and gravity of the offence, we are not inclined in granting bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

