

25.07.2022.
30.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2432 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat P.S. Case No.191 of 2022 dated 03.05.2022 under Sections 363/365 of the Indian Penal Code and charge sheet submitted under Section 363/365 of the Indian Penal Code and Section 376(2f)(2n) of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Kunal Das.

... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for about 81 days. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner is the uncle of the victim girl and had forcibly ravished her.

We have considered the materials on record including the statement of the minor victim. She stated she had been ravished by the petitioner. Close relationship between the petitioner and the victim gave the former opportunity to commit the crime.

In view of the aforesaid incriminating materials on record inconclusive medical expert is of little consequence. Bearing in

mind the aforesaid materials on record and gravity of offence,
we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is
rejected.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)