

10.08.2022
Sl. No.26
akd
[Rejected]

C. R. M. (DB) 2643 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.08.2022 in connection with Purbasthali Police Station Case No. 99 of 2022 dated 18.05.2022 under Sections 341/506 of the Indian Penal Code read with Sections 6/7/8/12 of the POCSO Act.

And

In Re: **Goutam Halder**

... .. Petitioner

Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh

... .. for the petitioner

Ms. Anasuya Sinha
Ms. Jonaki Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 84 days. It is further submitted petitioner has been falsely implicated in the instant case.

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

We have considered the materials on record including the statements of the victim girls. Petitioner had subjected the minor girls to penetrative sexual assault. Their statements corroborate the aforesaid allegation. Keeping in mind the nature of assault, non-examination of the minor victims by a medical personnel, in our considered opinion, does not erode the credibility of the prosecution case. 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**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

