

16.08.2022.
21.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2726 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belda P.S. Case No.168 of 2021 dated 30.05.2021 under Sections 376(3)/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : William Hembram @ Uiliiam Hemram.
....Petitioner.

Mr. Amit Ranjan Pati,
Ms. Afreen Begum.

...for the Petitioner.

Mr. Partha Pratim Das,
Mrs. Manasi Roy.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for about 441 days. He submits allegations of rape are false as no injury was found on the private parts of the victim.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the minor victim. Victim was abducted by two persons and thereafter ravished. She was a minor girl and being over-powered in all probability was unable to resist. Absence of injuries in the aforesaid factual matrix does not affect the credibility of the prosecution case.

In view of the 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.

Trial court is directed to conclude the trial at an early date without granting unnecessary adjournment to either of the parties.

Needless to mention statement of the victim shall be recorded at the earliest.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)