

CRM 8018 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Masum Sk.**

..... petitioner

Mr. Kazi M. Rahman

.....For the petitioner

Mr. Abhisek Sinha

.....For the State

Apprehending arrest in connection with Englishbazar Police Station Case No. 435/21 dated 08.04.2021 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act, the present application has been preferred.

Mr. Rahman, learned advocate appearing for the petitioner submits that the petitioner had a love relationship with one of the victim girls and he has been falsely implicated. The other co-accused persons have already been granted bail. Upon completion of investigation, charge sheet has also been submitted and as such, custodial interrogation is not warranted.

Mr. Sinha, learned advocate appearing for the State opposes the petitioner's prayer and draws out attention to the statements of the witnesses as recorded under Sections 161 and 164 of the Code.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, we find strong incriminating materials against the petitioner. Considering the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise discretion in his favour. As such, the prayer is refused.

The application CRM 8018 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)