

31
(AD)

03.02.2022

Court No.29

(Rejected)

C.R.M. 8576 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Itahar** P.S. Case No.**177** dated **26/04/2021** under Sections **376(3)/305** of the Indian Penal Code read with Section **4** of the Protection of Children from Sexual Offences Act, 2012 (POCSO) Act.

And

In the matter of: Hassen Ali

....petitioner.

Mr. Tanmay Basu

...for the petitioner.

Mr. P.K. Datta, Ld. APP
Mr. Santanu Deb Roy

... for the State.

Petitioner seeks Bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 290 days. Police submitted charge sheet. Another co-accused is on bail. He submits that there was a love affair between the petitioner and the victim girl.

Learned Advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Code of Criminal Procedure of two persons.

Considering the materials in the case diary and considering the gravity of the offence and considering the complicity of the petitioner as appearing from the statements recorded under Section 164 of the Code of Criminal Procedure, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is

rejected.

C.R.M. 8576 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)