

05.09.2022

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sdas
rejected

C.R.M.(DB) No. 2995 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kultali Police Station Case No. 390 of 2019 dated 20.06.2019 under Sections 363/365/368/506 of the Indian Penal Code and adding Section 376(2)(i) of the Indian Penal Code and adding Section 06 of the POCSO Act and adding Sections 9/10 of Prohibition of Child Marriage Act which submitted charge-sheet under Sections 363/365/506/376(2)(i) of the Indian Penal Code and Section 06 of the POCSO Act and Sections 9/10 of Prohibition of Child Marriage Act.

And

In Re : Biswajit Mondal petitioner

Mr. Angshuman Chakraborty

Mr. Ashutosh Mondal

... for the petitioner

Ms. Zareen N. Khan

Mr. Ashok Das

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for two years and eight months. There was a love affair between the parties.

Learned Counsel appearing for the State opposes prayer for bail and submits trial is in progress.

We have considered materials on record. Statement of the victim girl shows she had been kidnapped and ravished. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to take steps for examination of the victim girl at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)