

15.02.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M. 8754 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhantala** Police Station Case No. **291** of **2021** dated 04.07.2021 under Sections 376/417/419/420 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Jafirul Mallick.

..... petitioner

Ms. Sananda Bhattacharya

....for the petitioner

Mr. Saswata Gopal Bhattacharya, Id. Public Prosecutor

Mr. Partha Pratim Das

Ms. Manasi Roy

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The petitioner and the victim reside at the same locality.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Considering the 164 Cr.P.C. statement of the victim and considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected and the application being CRM 8754 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)