

29.09.2022

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rejected

C.R.M.(DB) No. 3374 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Labpur Police Station Case No. 127 of 2021 dated 19.07.2021 under Sections 449/376AB of the Indian Penal Code and under Sections 6/10 of the POCSO Act.

And

In Re : Jiban Hansda @ Jiban Hasda petitioner

Mr. Sujoy Sarkar

....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 436 days. It is also submitted that there was dispute between the petitioner and family of the victim. He prays for bail.

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

We have considered the materials on record. Statement of the minor victim implicates the petitioner in the offence. Trial is in progress and vulnerable witness i.e. minor is yet to be examined.

Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)