

20.10.2022

Vacation Bench
SL No.54
s.biswas

C.R.M. (DB) 3623 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Harishchandrapur** P.S. Case No. **357 of 2022** dated **10.05.2022** under Section **377** of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of: **Abu Setabur Rahman @ Setabur Rahman Moulavi**
...petitioner

Mr. Soumik Ganguly,
Mr. Asfak Ahammed

...for the petitioner

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

...for the State

The petitioner is in custody for about 163 days in connection with Harishchandrapur Police Station Case No.357 of 2022 under Section 377 of the Indian Penal Code.

We have heard the learned advocate for the petitioner and the learned Public Prosecutor-in-Charge. We have also perused the case diary especially the statement of the victim recorded under Section 164 of the Cr.P.C.

Considering the fact that minor boy of 12 years was ravished by a grown up man, we are not inclined at this stage to grant bail to the accused.

The instant application for bail being CRM (DB) 3623 of 2022 is thus rejected at this stage.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)