

31.10.2022

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rejected

C.R.M.(DB) No. 3794 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhangore Police Station Case No. 388 of 2019 dated 11.07.2019 under Sections 376DA/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Rahim Molla @ Rahim Bay Molla petitioner

Mr. Avik Ghatak

Mr. Abhinav Rakshit

... for the petitioner

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

... for the State

Supplementary affidavit is placed on record.

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits he is in custody for 322 days. It is contended one of the victims has not supported the prosecution case.

We have considered the materials on record including evidence of the prosecution witnesses though one of the victims did not support the case implicating the petitioner in the crime of penetrative sexual assault on a minor girl.

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

The application for bail is, thus, rejected.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)