

03.11.2022

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rejected

C.R.M.(DB) No. 3823 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 115 of 2022 dated 12.04.2022 under Section 4 of the POCSO Act and charge sheet submitted under Section 6 of the POCSO Act.

And

In Re : Adel Khandekar @ Adil Khandakar @ Adel Khandakar petitioner

Mr. Niladri Sekhar Ghosh
Mr. Tapadip Gupta
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

....for the petitioner

Mr. Anowar Hossain
Mr. Asif Dewan

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 204 days. It is also submitted that there was dispute amongst neighbours and the petitioner has been falsely implicated. Medical report does not show injury on the victim.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record including statement of the minor victim who alleged that the petitioner subjected him to penetrative sexual assault. Victim has not yet been examined in Court.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)