

08.12.2022

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rejected

C.R.M. (DB) No. 4201 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 726 of 2022 dated 08.07.2022 under Section 6 of the POCSO Act.

And

In Re : Sk. Nasiruddin petitioner

Mr. Chandan Kumar Mandal
... for the petitioner

Ms. Faria Hossain
Mr. Anand Keshari
... for the State

Learned Counsel appearing for the petitioner submits he is in custody for six months. It is also submitted that he has been falsely implicated due to rivalry. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits petitioner is a serial offender. Number of similar cases have been registered against him.

We have considered the materials on record. We have also examined the allegations in Sankrail Police Station Case Nos. 727 of 2022 and 728 of 2022 dated 08.07.2022 wherein petitioner is implicated. Allegations in all the cases are similar. Statement of the victim implicates the petitioner in the offence. Vulnerable witness is yet to be examined.

In view of the gravity of the offence and as vulnerable witness is yet to be examined, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)