

05.12.2022

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rejected

C.R.M. (DB) No. 4284 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Women Police Station Case No. 126 of 2021 dated 05.11.2021 under Section 6 of the POCSO Act and Section 376AB of the Indian Penal Code.

And

In Re : Khagen Debnath petitioner

Ms. Sananda Bhattacharyya
... for the petitioner

Ms. Sujata Das
... for the State

Heard the learned Counsels appearing for the parties.

We have considered the materials on record. Allegation involves rape of a four year old child. We are unable to appreciate why in offences under POCSO Act examination of the witnesses had been deferred under Section 231(2) of the Code of Criminal Procedure. Be that as it may, in view of the gravity of the offence and as trial is in progress, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

