

33.
11-01-2022
(ct. no.01)
debajyoti

(rejected)

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM (DB) 6 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Siliguri Police Station Case No.1226 of 2021 dated 08-10-2021 under Sections 363/365 of the Indian Penal Code and adding Section 6 of the Protection of Children from Sexual Offences Act, 2012.

- A n d -

In the matter of : Sahani Khatun

.... Petitioner.

Mr. Debasish Mukhopadhyay,
Ms. Jeenia Rudra

... For the Petitioner.

Mr. Kallol Acharjee,
Mr. Sagnik Sankar Sikdar

... For the State.

The petitioner says that she has been framed. She is not involved in the alleged offence in any manner whatsoever.

We have seen the statement of the victim girl who was about 17 years of age at the time of the incident. It appears from her statement recorded under Section 164 of the Code of Criminal Procedure that the petitioner enticed her and took her away from her home, meting out to her promise of getting a job. However, it *prima facie* appears that the petitioner may have had other obnoxious plans. It appears that the girl was recovered by police about three weeks after she was taken away by the petitioner.

Investigation is in progress. Charge Sheet is yet to be filed.

On an overall assessment of the facts and circumstances of the case, the material on record and the nature of the allegations, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail being CRM (DB) 6 of 2022 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)