

Circuit Bench of Calcutta High Court At Jalpaiguri
CRM (DB) 14 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Mathabhanga Police Station** Case No. **479 of 2021** dated **26.08.2021** under Section **6** of the POCSO Act.

- A n d -

In the matter of : Ganesh Barman

.... Petitioner.

Mr. S. Guha,

... For the Petitioner.

Mr. Abhijit Sarkar,
Mr. B. Roy,

... For the State.

The petitioner says that he has no involvement in the alleged offence. He has been framed. He is in custody for about 130 days. We have seen the statement of the victim girl, aged about 6 years, recorded under Section 164 of the Code of Criminal Procedure. She clearly implicated the petitioner. The medical report corroborates the prosecution case and the statement of the victim girl.

The State opposes the prayer for bail.

On an overall assessment of the facts and circumstances of the case and the *prima facie* incriminating material against the petitioner, although charge sheet may have been submitted, we are not inclined to allow the petitioner's prayer for bail at this stage.

The application for bail is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)