

09.06.2022

04

Ct. No. 01

**KAUSHIK
REJECTED**

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION

C.R.M. (DB) 184 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dinhata** Police Station Case No. **338** of **2021** dated 23.06.2021 under Sections 363/365 of the Indian Penal Code and adding Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Kuddus Ali

..... petitioner

Mr. Hillol Saha Poddar

Ms. Mousumi Das

....for the petitioner

Mr. Aditi Shankar Chakraborty, Id. APP

Mr. Biswarup Roy

....for the State

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 336 days. Initially, the victim refused to undergo medical examination. Thereafter, she went for medical examination after a considerable period of time. He draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) and to the medical examination of her.

Considering the 164 Cr.P.C. statement of the victim and her medical examination report, we are unable to grant bail to the petitioner.

In such circumstances, prayer for bail of the petitioner is rejected and the application being CRM (DB) 184 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)