

06.07.2022
Court No.1
SL No.23
pk/AP

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 216 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Maynaguri P.S. Case No. 531 of 2021 dated 01.11.2021 under Section 4 of the POCSO Act read with Section 376(3) of the Indian Penal Code.

And

In the matter of: **Tapash Mandal**

....Petitioner.

Ms. Madhushri Dutta
Mr. Debasish Mukhopadhyay
Ms. Sriya Basu

...for the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

...for the State.

Bail is sought on the ground that the victim is a 15-year old girl and there is no injury whatsoever.

Having carefully considered the entire case diary, the medical report and having heard the counsel for the parties, this Court is of the view that although charge-sheet has been filed under Section 4 of the POCSO Act read with Section 376(3) of the Indian Penal Code, further and other sections may also be included at the time when charges are framed.

Keeping in mind the evidence on record and the statement of witnesses, this Court is not inclined to grant bail to the petitioner at this stage.

CRM(DB) 216 of 2022 is dismissed.

(Rajasekhar Mantha, J.)

(Ananda Kumar Mukherjee, J.)