

12.07.2022.

Ct.No. 1

Item No. 17

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

C.R.M. (DB) 229 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973, filed on 06.07.2022 in connection with Sahebganj Police Station Case No.167 of 2022 dated 30.04.2022 under Section 6 of the Protection of Children from Sexual Offences Act.

And

In the matter of : **Rakesh Ghosh.**

...petitioner

Mr. Sudip Guha

...For the petitioner

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,

Mr. Biswarup Roy

....For the State

An application for bail is filed on the ground that the victim and the petitioner was in love. The victim girl is 17 years of age and the petitioner is 24 years of age.

It appears from the medical report that the victim girl is about 8 months pregnant. She may have delivered a baby by this time. The statement under Section 164 of the Cr. P.C. indicates that the victim was not inclined to have a physical relationship with the petitioner and that the petitioner has forced her.

The above facts may partially weigh in favour of the petitioner in course of trial.

Counsel for the State, however, opposes the prayer for bail.

Having heard the learned counsel for the State and the counsel for the petitioner and having considered the Case Diary

and the facts and circumstances of the present case, this Court is not inclined to allow bail to the petitioner.

Hence, application for bail of the petitioner is, thus, rejected at this stage.

Case Diary be returned.

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

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)