

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

25.07.2022.
13.
Ct.No.28
as
(Rejected)

**C.R.M. (DB) 265 of 2022
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tufanganj P.S. Case No.379 of 2022 dated 09.05.2022 under Sections 363/365/34 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Kajidul Rahman @ Kajidul Miah.
... Petitioner.

Md. Sabir Ahmed,
Mr. Apan Saha,
Mr. S. Sarkar.

...for the Petitioner.

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

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for about 74 days. It is submitted that the victim had eloped. The instant case has been falsely instituted against the petitioner.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the minor victim recorded under Section 164 of the Code of Criminal Procedure show that she had been forcibly kidnapped and thereafter ravished.

In view of the aforesaid incriminating materials on record and gravity of the offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)