

28.09.2022
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rejected

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

C.R.M. (DB) No. 366 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 19 of 2022 dated 27.01.2022 under Section 6 of the POCSO Act.

And

In Re : Samrat Sharma @ Samrat Shil Sharma petitioner

Mr. Tanmoy Basu
Mr. Swarup Das

.... for the petitioner

Mr. Aditi Sankar Chakraborty, learned APP
Mr. Ujjwal Lutsom
Mr. Biswarup Roy

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 245 days. It is also submitted that there is a civil dispute between the parties. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record including statement of the victim girl. Her statement shows she had been forcibly ravished by the petitioner. No material in support of the plea of prior enmity is placed before us.

Under such circumstances and in view of the gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)