

16.01.2023
Sl. No.28
akd
[Rejected]

C. R. M. (DB) 45 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.01.2023 in connection with Kaliachak Police Station Case No. 854 of 2022 dated 06.08.2022 under Section 341 of the Indian Penal Code and Section 10 of the POCSO Act.

And

In Re: ***Sukumar Mahara***

... .. Petitioner

Mr. Mazahar Hossain Chowdhury

... .. for the petitioner

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

... .. for the State

Affidavit-of-service filed in court today be kept with the record.

Report is placed on record. From the report it appears Investigating Officer has intimated the victim.

It is submitted on behalf of the petitioner that there was a dispute between the parties. It is further submitted petitioner has been falsely implicated in the instant case.

We have considered the materials on record including the statement of the victim who is a five year old child. She has implicated the petitioner in the offence. In view of gravity of the offence and keeping in mind the aforesaid incriminating materials, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

