

13.01.2023.
38.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 114 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bakultala P.S. Case No.139 of 2022 dated 29.05.2022 under Sections 363/365/376(2)(n)/120B of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Mosiullah Sekh.

... Petitioner.

Mr. Aniket Mitra,
Ms. S. Saha.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

Petitioner is in custody for 184 days. He submits victim is a major lady. They had a love affair and have married each other.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim shows she was abducted and ravished. No material is placed before us that the parties were in love and have married.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

