

30.01.2023

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rejected

C.R.M. (DB) No. 324 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagar Police Station Case No. 204 of 2022 dated 19.06.2022 under Section 306 of the Indian Penal Code and under Section 6 of the POCSO Act and under Section 9 of Children Marriage Act.

And

In Re : Sanjay Das petitioner

Mr. Kalyan Kumar Bhattacharjee

Ms. Reshmi Khatun

Ms. Sahinu Khatun

... for the petitioner

Ms. Anusuya Sinha

Mr. Pinak Kumar Mitra

... for the State

Learned Counsel for the petitioner submits he is in custody for 225 days. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail and submits date has been fixed for recording prosecution evidence.

We have considered the materials on record. Victim was a minor. Petitioner cohabited with her. Thereafter, she was married and subjected to torture. As a result she committed suicide within six months of marriage. Bail prayer of the petitioner was rejected earlier on merits. Date has been fixed for recording prosecution evidence. Under such circumstances, 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.)

