

27.02.2023

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Ct. No. 29

**CHC
REJECTED**

C.R.M.(DB) 771 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **98 of 2022** dated **10.05.2022** under Sections 363/365/120B/34 of the Indian Penal Code and added Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Sarjina Bibi Sekh @ Sarjina Bibi & anr.

..... petitioners

Ms. Jyoti Agarwal

....for the petitioners

Mr. S. S. Imam,

Mr. S. Kundu

....for the State

The petitioners pray for bail *inter alia* on the ground that two other co-accused were enlarged on bail on December 15, 2022 passed in C.R.M.(DB) 4409 of 2022.

A minor was kidnapped by four persons as stated by the minor. The minor recorded her statement under Section 164 of the Criminal Procedure Code, where the minor identified the two petitioners as persons sitting in the Maruti Van in which she was kidnapped along with others.

Petitioners before us are not standing in the same footing as that of the petitioners who were enlarged on bail on December 15, 2022 in CRM (DB) 4409 of 2022.

In such circumstances, we are unable to grant bail to the petitioners.

The application for bail is rejected and CRM (DB) 771 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

