

27.03.2023
Sl. No.39
akd
[Rejected]

C. R. M. (DB) 982 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.03.2023 in connection with Moyna Police Station Case No.299 of 2022 dated 08.12.2022 under Section 376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Sk. Anowar Hossain @ Sk. Anoyar Hossen***

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. S. S. Imam

Mr. S. Kundu

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statement of the minor victim prima facie discloses forcible penetrative sexual assault upon her. Vulnerable witness is yet to be examined. Under such circumstances and in view of gravity of the offence, 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.)