

22.03.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1035 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda P. S. Case No.304 of 2022 dated 15.07.2022 under Section 4 of the POCSO Act and charge sheet submitted under Section 4 of the POCSO Act.

In the matter of : Nimai Mandal @ Nirmal Mandal.
... Petitioner.

Ms. Minoti Gomes,
Mr. Musharraf Alam Sk,
Ms. Susmita Ghorai.
...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Sima Biswas.
...for the State.

Petitioner is in custody for 194 days. He submits he has been falsely implicated. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault.

Keeping in mind the aforesaid materials and gravity of offence, we are not inclined to grant bail to the petitioner.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

