

27.04.2023  
Sl. No.20  
**akd**  
[Rejected]

**C. R. M. (DB) 1461 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.04.2023 in connection with Chapra Police Station Case No.629 of 2022 dated 03.11.2022 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Faruk Sekh***

... .. Petitioner

Mr. Shataroop Purkayastha  
Mr. Jagriti Bhattacharya

... .. for the petitioner

Mr. Sumanta Das

... .. for the de-facto complainant

Md. Anwar Hossain  
Ms. Sreyashee Biswas

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 152 days. It is further submitted there was a romantic relationship between the parties. Petitioner has been falsely implicated. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Petitioner was a married person while the victim was a minor. He had enticed the victim and committed rape 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.)**

