

01.05.2023.
28.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1499 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj P. S. Case No.199 of 2022 dated 09.06.2022 under Sections 363/365/34 of the Indian Penal Code and added Section 6 of the POCSO Act.

In the matter of : Palash Biswas @ Dalim.

... Petitioner.

Mr. Ashok Das,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.

...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,
Mr. Santanu Chatterjee.

...for the State.

Notice served upon the victim is placed on record. Nobody appears for the victim.

It is contended there was a love affair between the parties. Petitioner is in custody for 152 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner had a prior marriage.

We have considered the materials on record. Petitioner had suppressed his earlier marriage and cohabited with the minor girl. She is yet to be examined in Court.

In view of the aforesaid circumstances and as vulnerable witness has not yet been examined, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

