

02.05.2023

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rejected

C.R.M. (DB) No. 1516 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhangore Police Station Case No. 239 of 2022 dated 19.04.2022 under Section 376DA of the Indian Penal Code and Section 6 of the POCSO Act subsequently charge-sheet submitted under Sections 376DA/376(2)(f)/376(2)(1)/376(2)(n)/323/506 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Moidul Molla @ Maidul petitioner

Mr. Ayan Basu

Mr. Sandip Kumar Mondal

Mr. Sumit Routh

... for the petitioner

Mr. Binay Kumar Panda

Ms. Sima Biswas

... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Victim is a girl of unsound mind. She has been ravished by the petitioner who is her brother-in-law. Petitioner does not stand on the same footing with the co-accused who is on bail. In view of nature and 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.)

