

12.05.2023
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rejected

C.R.M. (DB) No. 1886 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amta Police Station Case No. 285 of 2022 dated 29.08.2022 under Section 376(2)(f) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Nur Islam Mallick @ Kalu Mallick petitioner

Mr. Abhijit Kumar Adhya
... for the petitioner

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen
... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Statement of the minor victim shows that she had been subjected to penetrative sexual assault by the petitioner. Keeping in mind the aforesaid incriminating fact and gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)