

19.05.2023
tkm/ct 28
sl no.46

C.R.M. (NDPS) 2055 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dadpur PS case no. 96 of 2021 dated 21.6.2021 under sections 448/376 of the IPC read with section 4 of the POCSO Act

And

In Re : Musa Molla

..... petitioner

Md. Sabir Ahmed
Mr. Abdur Rakib
Ms. Suman Biswas

..... for the petitioner

Mr. Prasun Datta
Mr. S Deb Roy

..... for the State

Heard learned lawyer for the parties.

We have considered the materials on record. Minor victim implicates the petitioner in the offence of penetrative sexual assault. Allegation of false implication due to monetary dispute may be probalised during trial.

However, in view of the fact that vulnerable witness is yet to be examined, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)