

07.06.2023

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rejected

C.R.M.(DB) No. 2113 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nazat Police Station Case No. 217 of 2018 dated 06.08.2018 under Section 376(2)(i)(j) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Mojaffar Gazi petitioner

Mr. P. Biswas

....for the petitioner

Mr. Binay Panda

Ms. Puspita Saha

.... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Minor victim was 3½ years old at the time of occurrence. Statement of her mother implicates the petitioner in the offence. Petitioner had absconded for a protracted period of time. Under such circumstances, 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.)