

19.06.2023
Sl. 34
Court No.29
Suvayan
(Rejected)

C.R.M. (DB) 2288 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in arising out of **Petrapole** P. S. Case No. **11 of 2023** dated **08.02.2023** under Sections **376AB/506** of the IPC and Sections **6** of the POCSO Act.

And

In the matter of: **Samir Patra**

....petitioner

Mr. Susnigdhu Bhattacharyya
Ms. Bidisha Chakraborty

...for the petitioner.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

1. Heard the learned Counsel for both the parties.
2. Affidavit-of-service filed by the petitioner be taken on record.
3. Taking into consideration the statement of the victim recorded under Section 164 Cr.P.C., which finds due corroboration from the medical examination report of the victim and the fact that the petitioner being a married person aged about 34 years has continuously ravished a minor girl of 11 years old for a period about 6 months, we are not inclined to exercise our discretion in favour of the petitioner under Section 439 Cr.P.C at this stage.
4. Accordingly, the prayer for bail of the petitioner is rejected.
6. CRM (DB) 2288 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)