

07.07.2023  
Sl. No.38  
**akd**  
[Rejected]

**C. R. M. (DB) 2701 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.07.2023 in connection with Gaighata Police Station Case No.265 of 2023 dated 20.03.2023 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Budhhadeb Sadhukhan @ Buro***

... .. Petitioner

Mr. Susnigdho Bhattacharyya

... .. for the petitioner

Ms. Zareen N. Khan

Mr. Arup Sarkar

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statement of the minor recorded under Section 164 of the Code of Criminal Procedure shows that the petitioner had lured her and thereafter, committed rape. In view of the aforesaid incriminating materials 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.)**