

11.07.2023
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rejected

C.R.M.(DB) No. 2743 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 94 of 2022 dated 29.01.2022 under Section 376(3) of the Indian Penal Code and under Section 6 of the POCSO Act.

And

In Re : Debasish Biswas petitioner

Ms. Sananda Bhattacharyya
....for the petitioner

Ms. Faria Hossain
Mr. Anand Keshari
..... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Statement of the victim implicates the petitioner in the offence of penetrative sexual assault. Cross-examination of the minor has been deferred on the prayer of the petitioner. We do not appreciate such stance which would require the minor to appear before the trial court repeatedly. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Copy of this order be communicated to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

