

16.08.2023
Sl. No.42
akd
[Rejected]

C. R. M. (DB) 3201 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.08.2023 in connection with Dholahat Police Station Case No.257 of 2023 dated 04.06.2023 under Sections 341/354A/506 of the Indian Penal Code and Sections 10/6 of the POCSO Act.

And

In Re: ***Shibnath Paik***

... .. Petitioner

Mr. Soumik Ganguli
Mr. Supriyo Shasmal

... .. for the petitioner

Mr. Joydeep Roy .. Jr. Govt. Advocate
Ms. Sujata Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 62 days. It is further submitted FIR does not contain allegation of rape. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statement of the victim implicates the petitioner in the offence of penetrative sexual assault. In view of the aforesaid fact and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)