

16.08.2023

57

sdas

rejected

C.R.M.(DB) No. 3218 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 144 of 2023 dated 19.04.2023 under Sections 376(3)/506 of the Indian Penal Code read with Section 6(1) of the POCSO Act.

And

In Re : Shibnath Mondal @ Shibu petitioner

Mr. Kusal Kumar Mukherjee

Mr. Pranidhi Singh

....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

..... for the State

1. Learned Counsel for the petitioner submits there is delay in lodging F.I.R. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. Vulnerable witness has not yet been examined. Under such circumstances, 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.)