

20.09.2023  
23  
sdas  
rejected

C.R.M.(DB) No. 3474 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Asansol South Police Station Case No. 117 of 2022 dated 22.03.2022 under Section 376AB of the Indian Penal Code and under Sections 4/6 of the POCSO Act.

And  
In Re : Sisir Sarkar .... petitioner

Ms. Minoti Gomes  
Mr. Kuntal Banerjee  
Ms. Dona Sanyal  
....for the petitioner

Mr. S. S. Imam  
Mr. R. Jana  
..... for the State

1. Report filed in Court be kept with record.
2. Learned Counsel for the petitioner submits vulnerable witness has been examined. He prays for bail.
3. Learned Counsel for the State opposes the bail prayer.
4. We have considered evidence of the minor. She has described the incident of penetrative sexual assault. Medical report shows injury in her private parts. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.
5. The application for bail is, thus, rejected.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**