

06.09.2023
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rejected

C.R.M.(DB) No. 3477 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No. 121 of 2023 dated 27.02.2023 under Sections 376(2)(n)/376(2)(f)/376AB of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Jagannath Das petitioner

Ms. Devi Priya Mitra

....for the petitioner

Ms. Zareen N. Khan

Md. Kutubuddin

Mr. Asif Dewan

..... for the State

1. Learned Counsel for the petitioner submits allegation of rape is not supported by medical evidence. He prays for bail.

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

3. We have considered the materials on record. Petitioner is the grand father of the minor girl. She is a seven year old child. Her statement implicates the petitioner in the crime. She has not been examined as yet. Keeping in mind the gravity of the offence, incriminating materials on record and as vulnerable witness has not been examined as yet, 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.)