

14.09.2023.
37.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3582 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gazole P.S. Case No.443 of 2023 dated 02.06.2023 under Section 6 of the POCSO Act read with Sections 376DA/506 of the Indian Penal Code.

In the matter of : **Sanjila Hembrom @ Sasla Hemrom @ Sajla Hemram.**

... Petitioner.

Mr. Wasim Akram.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani Bhattacharyya.

...for the State.

1. Petitioner submits co-accused has been enlarged on bail.
He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
He submits petitioner had kidnapped the victim with the principal accused viz., Sanjay Hembram. Thereafter, she was raped. Co-accused does not stand on the same footing with the petitioner.
3. We have considered the materials on record. Petitioner and Sanjay Hembram had kidnapped the victim. Thereafter, she was raped. Co-accused Krishna Hembram was not named by the victim in her statement recorded under Section 164 of the Code of Criminal Procedure.
4. Hence, the petitioner does not stand on the same footing with the co-accused and in view of gravity of offence, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)