

18.09.2023

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rejected

C.R.M.(DB) No. 3622 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Regent Park Police Station Case No. 142 of 2023 dated 08.05.2023 under Sections 387/354/354B/354C/376/506/120B of the Indian Penal Code read with Sections 4/8/12 of the POCSO Act.

And

In Re : Subhajit Chowdhury @ Subhojit petitioner

Mr. Ujjal Ray

Mr. Abdur Rahim

Mr. Diptyendu Kumar Pal

....for the petitioner

Mr. Neguive Ahamed, learned APP

Ms. Amita Gaur

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 130 days. It is contended he is a professional photographer. He had prepared a portfolio for the mother of the victim. Thereafter the victim also approached him to prepare a portfolio for her professional career. There was dispute over remuneration. Accordingly, he has been falsely implicated. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits victim is a minor and had been sexually abused. Medical report also corroborates her version.

3. We have considered the materials on record. Victim is a minor. Petitioner is a professional photographer. Victim approached the petitioner to prepare her portfolio in order to launch her career in acting. Taking advantage of the situation petitioner sexually abused her. Medical report shows injury in her private parts. Vulnerable

witness is yet to be examined. Under such circumstances, we do not consider it prudent to enlarge the petitioner on bail.

4. The application for bail is, thus, rejected.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)