

30.11.2023.
37.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3895 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P. S. Case No.236 of 2023 dated 19.03.2023 under Sections 363/365/34 of the Indian Penal Code and adding Section 6 of the POCSO Act.

In the matter of : **Motiur Rahaman @ Moti.**

... Petitioner.

Mr. Ayan Basu,
Mr. Soupal Chatterjee,
Mr. P. K. Day,
Mr. S. Routh.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Id. SGA,
Mr. Arindam Sen.

...for the State.

Mr. Debmalya Das.

...for the Victim Girl.

1. Petitioner submits victim made contradictory statements during investigation. Accordingly, He prays for bail.

2. In the light of the aforesaid submission affidavit was called for from the victim. In the affidavit, she stated accused had threatened her to make the exonerative statement.

3. In the light of the aforesaid affidavit and other materials on record and as the vulnerable witness has not yet been examined during trial, we are not inclined to grant bail to the petitioner at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)