

11.10.2023
tkm/ct 28
sl no. 25

C.R.M. (DB) 3938 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Rabindranagar PS case no. 111 of 2022 dated 12.5.2022 under sections 376(2)(a)/376(3)/506 IPC and section 6 of the POCSO Act

And

In Re : Sk. Badsha

...petitioner

Mr. D K Prahladka

..... for the petitioner

Mr. Antarikhya Basu

..... for the State

1. Learned lawyer for the petitioner submits there were monetary disputes between him and the father of the minor victim. As a result, he has been falsely implicated. He prays for bail.

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

3. We have considered the materials on record including the statement of the minor. She states that the petitioner had subjected her to penetrative sexual assault. Opinion of the doctor also corroborates allegation of the victim.

4. In view of the nature of assault and incriminating materials on record, we are not inclined to grant bail to the petitioner and his prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)