

13.10.2023.  
26.  
Ct.No.28  
As  
(Rejected)

**C.R.M. (DB) 3993 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barasat P. S. Case No.53 of 2023 dated 23.01.2023 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Jamirul Kayal @ Jamir Ali Kayal.**  
... Petitioner.

Mr. Sandip Chakraborty,  
Mr. Kaustav Das.

...for the Petitioner.

Mr. Angshuman Chakraborty.

...for the State.

1. Petitioner submits there was a boundary dispute. As a result, he has been falsely implicated. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the statement of the minor. Victim alleges she has been subjected to penetrative sexual assault by the petitioner. She is not yet examined.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**