

30.11.2023.
43.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4164 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.306 of 2022 dated 08.05.2022 under Sections 363/365/34 of the Indian Penal Code and adding Sections 376/120B of the Indian Penal Code and Sections 4/6 of the POCSO Act.

In the matter of : **Shibu Das.**

... Petitioner.

Mr. Sabyasachi Mukherjee,
Mr. Debarati Choudhury,
Mr. Mukesh Khanna,
Mr. Bibek Dey,
Mr. Syed Neaz Ahmed.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. Govt. Adv.,
Mr. Amanul Islam.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Evidence of the victim implicates the petitioner in the offence of penetrative sexual assault. Petitioner is related to her and the victim is a minor.
3. In view of the nature of offence and the evidence on record, we are not inclined to grant bail to the petitioner.
4. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)