

18.12.2023.
93.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4294 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rejinagar P. S. Case No.264 of 2022 dated 16.10.2022 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Mohibul Sk @ Mondal @ Mohibur Mondal.**

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Paulami Bose.

...for the Petitioner.

Mr. Pratipto Kr. Ganguly.

...for the State.

Mr. Robiul Islam.

...for the de-facto complainant.

1. Petitioner renews his prayer for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits vulnerable witness i.e. victim has not been examined.
3. Under such circumstances, we direct the Trial Court to examine the victim at the earliest.
4. In view of the aforesaid state of proceeding and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)