

23.11.2023

tkm/ct 28

sl no. 46

C.R.M. (DB) 4404 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bamongola PS case no. 132 of 2023 dated 10.8.2023 under section 4 of the POCSO Act

And

In Re : Subrata Sarkar @ Sanjib @ Batu @ Sourav

...petitioner

Mr. Kalidas Saha

..... for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

..... for the State

1. Petitioner submits there was a romantic relationship between the parties. He has been falsely implicated in the case.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the statement of the minor victim as well as her brother. They state that the victim was forcibly raped.
4. In view of the aforesaid evidence on record and nature of offence, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)