

19.01.2023  
17 & 18  
Ct.No.28  
as

**C. R. M. (DB) 4478 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.12.2022 in connection with Bauria Police Station Case No. 290 of 2018 dated 28.08.2018 under Sections 363/323 of the Indian Penal Code read with Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

And

In Re: Rohit Rajbhar @ Rohit Kumar ... .. Petitioner

**W I T H**

**C. R. M. (DB) 2412 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.07.2022 in connection with Bauria Police Station Case No.290 of 2018 dated 28.12.2018 under Section 363 of the Indian Penal Code and Section 6 of the POCSO Act and subsequently charge sheet submitted under Sections 363/323 of the Indian Penal Code and Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

And

In Re: **Rohit Rajbhar @ Rohit Kumar @ Rahit Rajbhar**  
... .. Petitioner

Mr. Abhijit Kumar Adhya  
... .. for the petitioner.

Mr. Arijit Ganguly  
Mr. Bibaswan Bhattacharya  
... for the State  
[in CRM (DB) 4478/2022]

Ms. Zareen N. Khan  
Mr. A. Sarkar  
... .. for the State  
[in CRM (DB) 2412/2022]

We have considered the materials on record. Survivor is a minor. She implicates the petitioner in the crime.

Hence, we are not inclined to grant bail.

Accordingly, both the applications are dismissed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**

