

20.01.2023
Sl. No.11
akd
[Rejected]

C. R. M. (DB) 4572 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.12.2022 in connection with Kashipur Police Station Case No.285 of 2022 dated 11.06.2022 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Mosidul Molla***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Shiladitya Banerjee

... .. for the State

It is submitted on behalf of the petitioner that there was a civil dispute between the parties. It is further submitted petitioner has been falsely implicated in the instant case.

Report is placed on record.

We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. Document relied on in support of the plea of prior civil dispute shows that that matter had already been settled. In view of the aforesaid facts and the incriminating materials on record, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

