

01.03.2023

Sl. No.28

akd

[Rejected]

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

C. R. M. (DB) 108 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.02.2023 in connection with Rajganj Police Station Case No. 111 of 2020 dated 11.08.2020 under Section 6 of the POCSO Act read with Sections 376DA/302/201/120B/34 of the Indian Penal Code.

And

In Re: ***Jamirul Haque***

... .. Petitioner

Mr. Arnab Saha

... .. for the petitioner

Mr. Kallol Acharjee

Mr. Sagnik Sankar Sikdar

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than 300 days. It is further submitted there is no material implicating him in the crime.

Learned Advocate for the State opposes the prayer for bail and submits a minor girl was raped and murdered by the petitioner and other co-accuseds.

We have considered the materials on record. Call Detail Records (CDRs.) of the mobile phones of the petitioner and co-accuseds show close nexus between themselves at the time of occurrence. They were present at the place of occurrence. Medical evidence shows victim was raped and murdered. In view of gravity of the offence and involvement of the petitioner in the alleged crime, we are of the opinion this is not a fit case to grant bail to him at this stage.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

