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rejected

**In the High Court at Calcutta
Circuit Bench At Jalpaiguri**

C.R.M. (DB) No. 126 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No. 685 of 2022 dated 09.12.2022 under Section 10 of the POCSO Act and subsequently added Section 6 of the POCSO Act.

And

In Re : Abdul Kader petitioner

Mr. Partha Pratim Srkar
Mr. Sudip Guha

... for the petitioner

Mr. Abhijit Sarkar
Mr. Sagnik Sankar Sikdar

... for the State

Learned Counsel for the petitioner submits he is in custody since 9th December, 2022. It is also submitted that he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. We have also examined the statement of the minor recorded under Section 164 of the Code of Criminal Procedure. Her statement implicates the petitioner in the offence of penetrative sexual assault. Keeping in mind the gravity of the offence we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

