

05.06.2023
SL No.6
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (DB) 185 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Sessions (POCSO) Case No.153 of 2022 arising out of New Jalpaiguri Police Station Case No.1267 of 2022 dated 02.12.2022 under Sections 498A/313/34 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of : **Swapan Barman**

- Petitioner.

Mr. Arijit Ghosh

... For the Petitioner.

Mr. Ujjwal Luksom,

Ms. Namrata Das

... For the State

The learned Counsel for the petitioner submits that the petitioner is in custody for 184 days. The petitioner and the minor are in romantic relationship. It is submitted that they were married in presence of family members of the minor.

The learned Counsel for the State and the mother of the minor seriously opposed the prayer for bail.

Having considered the statement of the minor recorded under Section 164 of the Cr.P.C. and the medical examination report, we are not inclined to grant bail at this stage.

Accordingly, the prayer for bail is, thus, rejected.

The prayer for renewal of bail may be made after the examination of the victim, the de facto complainant and the medical officer.

Accordingly, the application for bail being CRM (DB) 185 of 2023 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)