

05.07.2023

Item no.2

Court No.1.

AB

(Rejected)

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

CRM (DB) No. 259 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kharibari Police Station Case No.190 of 2022 Dated 23.5.2022 under Sections 6 of the POCSO Act

And

In the matter of : Sintu Sharma

.....Petitioner.

Mr. Subhasis Misra,
Mr. Swarup Das for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly for the State.

Mr. Sourav Kar for the Defacto Complainant.

The allegation is under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

The prosecution case is that the petitioner entered into physical relationship with the minor girl, as a result whereof the girl became pregnant.

The petitioner says that the victim girl was staying in the petitioner's house as a domestic help. There the girl developed a relationship with another person and that person impregnated the victim girl. The petitioner has nothing to do with the alleged incident.

We have seen the material in the case diary including the statement of the victim girl. She clearly mentions the petitioner.

In view of the aforesaid and considering the nature and gravity of the offence, although charge sheet may have been submitted, we are not inclined to allow the petitioner's prayer for bail.

The prayer for bail is rejected, at this stage.

CRM (DB) No.259 of 2023 is dismissed.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)