

04.09.2023

Court No.01

rpan/02

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (DB) 536 of 2023

In Re : **Masud Hossain @ Masud Hasan @
Saiful Mia @ Machhut Hossain**
- Petitioner

Mr. Hillol Saha Podder,
Ms. Mousumi Das
... for the Petitioner.
Mr. Nilay Chakraborty,
Mr. Dhiman Sil
... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Sitalkuchi Police Station Case No. 62 of 2023 dated 09.03.2023 under Sections 363/365/109 of the Indian Penal Code and adding Section 6 of the Protection of Children from Sexual Offences Act, 2012.

Heard the learned advocates and considered the materials on record including the statement of the victim girl, as recorded under Section 164 of the Code as well as the contents of the complaint lodged.

Prima facie, the materials on record reveal the involvement of the petitioner in the alleged incident. Considering the gravity of the offence, its ramification and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour and his prayer for bail is refused at this stage.

The application for bail, being CRM (DB) 536 of 2023, is rejected.

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

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)